

MT LEGISLATIVE HISTORY

Chapter 263 1955

Bill H _____ S 59

Original bill & hist. C

H. Committee on Judiciary

S. Committee on Judiciary

Hearing Date(s) _____ C

Hearing Date(s) Jan 28 ✓ C

Minutes do _____ C

Feb 02 ✓ C

not exist _____ C

Feb 10 ✓ C

_____ C

_____ C

Date Out _____ C

Feb 10 ✓ C

Did this bill originate in an interim committee? Yes ✓No

Committee _____

Report _____

3. If there was at that time 0.15 per cent or more by weight of alcohol in the defendant's blood, it shall be presumed that the defendant was under the influence of intoxicating liquor:

4. Per cent by weight of alcohol in the blood shall be based upon milligrams of alcohol per one hundred (100) milligrams of blood:

5. The foregoing provisions of paragraph (b) shall not be construed as limiting the introduction of any other competent evidence bearing upon the question whether or not the defendant was under the influence of intoxicating liquor.

(c) It is unlawful and punishable as provided in paragraph (d) of this section for any person who is an habitual user of or under the influence of any narcotic drug or who is under the influence of any other drug to a degree which renders him incapable of safely driving a motor vehicle to drive a motor vehicle within this state. The fact that any person charged with a violation of this paragraph is or has been entitled to use such a drug under the laws of this state shall not constitute a defense against any charge of violating this paragraph.

(d) Every person who is convicted of a violation of this section shall be punished by imprisonment in the county or city jail for not more than six (6) months or by a fine of not less than one hundred dollars (\$100.00) or more than five hundred dollars (\$500.00) or by both such fine and imprisonment. On a second conviction he shall be punished by imprisonment in the county or city jail for not less than ten (10) days nor more than six (6) months, to which may be added, at the discretion of the court a fine of not less than three hundred dollars (\$300.00) nor more than five hundred dollars (\$500.00). On the third or subsequent conviction he shall be punished by imprisonment for a term of not less than thirty (30) days nor more than one (1) year, to which may be added at the discretion of the court a fine of not less than five hundred dollars (\$500.00) nor more than one thousand dollars (\$1,000.00).

(e) Each and every municipality in this state is hereby given authority to enact the foregoing paragraphs (a), (b), (c) and (d) of this section, with the word "state" in the first sentence of paragraphs (a) and (c) changed in each instance to read "municipality," as an ordinance, and is hereby given jurisdiction of the enforcement of said ordinance, and of the imposition of the fines and penalties therein provided.

(f) The board shall forthwith revoke the license or permit to drive and operating privilege and any nonresident operating privilege of any person upon receiving a record of such person's conviction or forfeiture of bail not vacated, under this section.

History: En. Sec. 39, Ch. 263, L. 1955; amd. Sec. 1, Ch. 194, L. 1957; amd. Sec. 3, Ch. 201, L. 1957; amd. Sec. 1, Ch. 109, L. 1961.

Compiler's Note

Sections 32-2142 and 32-2143 comprised Article IV of Ch. 263, Laws 1955 entitled "Driving While Intoxicated, and Reckless Driving."

Actual Physical Control

By defining the words "actual," "physical," and "control" as they are used in their ordinary meanings, it was held that if a person has existing or present bodily restraint, directing influence, domination or regulation of an automobile while under the influence of intoxicant he violates the statute. *State v. Ruona*, 133 M 243, 321 P 2d 615, 618.

SENATE COMMITTEE ON JUDICIARY

CHAIRMAN Worden called the meeting to order at 2:30 PM January 28, 1955. Members attending were Angstman, Donahoe, Dwyer, McDonnell, Nutter, Wallace, and Worden.

House Bill 32. Mr. Seifert former member of the House of Representatives spoke in the affirmative on HB 32. General discussion followed. Angstman moved that House Bill 32 be concurred in. Wallace seconded motion. Motion carried by unanimous vote.

Senate Bill 27. Angstman made motion that Senate Bill 27 Do Not Pass. Dwyer seconded. Motion carried by unanimous vote.

Senate Bill 29 was discussed. Angstman moved that SB 29 Do Not Pass; seconded by Nutter. Motion carried.

SB 59 was referred to sub-committee composed of Nutter & Dwyer.

SB 61 was referred to sub-committee composed of Donahoe & Dwyer.

SB 62 was referred to McDonnell & Worden for further study and report to committee.

SB 64 was referred to sub-committee of Wallace & Harken.

SB's 90, 91, and 92 were referred to Hibbs & Lindquist for further study and report to committee at next meeting.

Meeting adjourned.

W. Worden
Worden, Chairman

Attest: Nelva J. Meredith
Secretary to the Committee

SENATE COMMITTEE ON JUDICIARY

The meeting was called to order by Chairman Worden, February 2, 1955, 3:30 PM. Roll was called with Hibbs absent. The following Bills were brought before the committee and discussed.

Senate Bill 64. Senator Groff, one of the proponents of the bill, appeared before the committee and spoke on behalf of the bill. Sub-committee Wallace & Harken made their report to the committee. Harken made motion that SB 64 do pass, seconded by Nutter. Motion carried.

Senate Bill 40. Subcommittee of Lindquist made report and recommended that bill as amended should receive favorable vote. McDonnell made motion that SB as amended do pass. Seconded by Dwyer. Motion carried. Amendments made on committee report.

Senate Bill 70. Mr. Luxam representing Casualty and Insurance Companies spoke with disfavor on SB 70. Lindquist explained that due to certain law matters in his office he will pass. After much controversy the bill was referred to a sub-committee of Nutter, Harken, and McDonnell for further study and recommendation.

House Bill 42 was discussed. It was decided to contact Broeder from the House who introduced the bill for his opinion.

House Bill 97 was discussed. Dwyer made motion, seconded by McDonnell that House Bill 97 be concurred in. Motion carried.

Senater Bill 29. Sub-committe reported that amendments pending.

Senate Bill 59. Sub-committee reported that further study is needed on this 83-page bill.

Senate Bill 62 was discussed. Angstman made motion that SB 62 Do Not Pass, seconded by Wallace. Motion carried.

Senate Bill 61. Sub-committee reports bill should be amended. Further report at a following meeting.

Senate Bill 130 referred to Sub-committee of Lindquist and Donahoe.

Senate Bill 210. Ex-Governor Ford has requested to appear before committee on behalf of SB 210. Senator Lindquist requested by Chairman to contact Mr. Ford and set time and date.

Adjourned.

Attest: *N. Meredith*
N. Meredith, Secretary

Stanley Worden
Chairman, Judiciary Committee

SENATE COMMITTEE ON JUDICIARY

Senator Worden called the meeting to order in the Law Library, February 10, 1955, at 3:45 PM, with all members present.

Mr. Frank Longan, an attorney from Billings, appeared before the committee in regard to SB 99, Judgment Roll, Section 93-5707. Matter was deleted on Page 3, line 6, of the original bill. It was decided by the committee that this deletion should be in the Bill. Hibbs moved that with amendments that SB 99 do pass. Nutter seconded the motion. Motion carried.

SB 140. Mr. Longan also spoke on this bill in the affirmative. After Mr. Longan was excused, the bill was discussed in full by the committee. Dwyer moved that SB 140 do not pass, seconded by Angstman. Motion carried.

House Bill 113 which was discussed at a preceding meeting, February 9, by Mr. Kemp was discussed by the committee. Wallace moved that HB 113 do not pass, Angstman seconded. Motion carried that HB 113 be not concurred in.

House Bill 390. Dwyer, seconded by Hibbs, moved that we concur in HB 390. Motion carried.

Senate Bill 59 was thoroughly discussed and different people appeared before the committee speaking for passage of SB 59. Dr. Little spoke on one phase of the bill, alcohol tests. Mr. Glen Schultz of the Highway Patrol appeared and introduced Mr. A. F. Klinger of Shelby, representing the Montana Municipal League, who stated his organization approved of SB 59 in its entirety.

Mr. W. H. Fredericks, Montana Automobile Dealers Association, stated his organization approved of SB 59 in its entirety.

Mr. Markham, Montana Automobile Association which is affiliated with American Automobile Association, stated that his organization approved of the Uniform Vehicle Code and was in full support of SB 59.

The sub-committee composed of Dwyer and Nutter prepared some amendments to SB 59 which was submitted to the committee. Nutter moved that SB 59 as amended do pass. Angstman seconded the motion. Motion carried.

Leif Erickson appeared before the committee on behalf of the Bar Association and discussed House Bills 154, 157, 158 and 156.

Meeting adjourned 5:45 PM.

Attest: *N.J. Meredith*
Secretary to the Committee

Donovan Worden
Donovan Worden, Chairman

Hearing on
complaint.

Board may fix
different rules
in same class.

Carriers to file
schedules.

Repealing
clause.

Effective
immediately.

thirty (30) days after the date of said filing of said schedule of proposed rates, fares and charges, a complaint is received regarding the proposed schedule of fares, rates or charges, the said board will set the same for public hearing at which hearing the duty will be upon the carrier proposing the said schedule of rates to prove the necessity therefor. It will be possible for any person whose interests will be adversely affected to file such a complaint with the said board, or for the board to set the matter for public hearing upon its own motion. The board also shall have authority to fix different rates or schedules of rates for different motor carriers, of the same or different classes, and for different routes and different parts of the same route of any motor carrier. The board shall from time to time and as often as circumstances may require, change and revise such schedule. Every class A and class B motor carrier shall file with the board its schedule of tariffs showing all effective rates, fares, charges, and classifications for the transportation of persons and property in this state, or for any service in connection therewith; and no time schedule, tariff, rate or classification shall be changed or altered without the written consent of the board, except as otherwise provided herein.

Section 2. All acts and parts of acts in conflict herewith are hereby repealed.

Section 3. This act shall be in full force and effect from and after its passage and approval.

Approved March 10, 1955.

CHAPTER 263

An Act Regulating Traffic and the Operation of Vehicles Upon the Public Highways of the State of Montana, to Make Uniform the Laws Relating Thereto and to be Known as the Montana Uniform Act Regulating Traffic on the Highways; Defining Certain Terms Used in the Act; Defining the Power of Local Authorities to Enact or Enforce Ordinances, Rules, or Regulations in Regard to Matters Embraced Within the Provisions of This Act; Establishing Rules of the Road, and Providing for the Obedience to and Effect of Traffic Laws, Exceptions Thereto, and Defining the Duties and Obligations of

Authorized Emergency Vehicles; Providing for Obedience to Traffic Signs, Signals, and Markings and Required Traffic-control Devices; Providing for Driving Vehicles on the Right Side of Roadway — Overtaking and Passing, and the Limitations Thereon, and Establishment of No-passing Zones, and Restrictions on the Use of Controlled Access Roadways; Providing for the Right of Way for Vehicles Approaching or Entering Intersections, Turning Left at Intersections, Entering Through Highway or Stop Intersection, or From Private Road or Driveway; Providing for Pedestrians' Rights and Duties and Providing That Drivers Exercise Due Care; Prohibiting Pedestrians From Soliciting Rides or Business; Providing for Turning and Starting Vehicles and Signals to be Given on Stopping and Turning; Requiring Special Stops and Obedience to Signals on Approach of Train; and Providing That Vehicles Stop at Railroad Grade Crossings and Providing for Moving Heavy Equipment at Railroad Grade Crossings and Providing That a Driver of a Vehicle Emerging From an Alley, Driveway, or Building Must Stop; Defining the Duties of a Driver of a Vehicle on Overtaking and Passing School Bus; Establishing Speed Restrictions, Limitations of Speed, and Speed Zones; Defining Certain Crimes in the Use and Operation of Vehicles and Fixing Penalties; Regulations on Stopping, Standing and Parking of Vehicles and Providing for Additional Parking Regulations; Providing for Miscellaneous Rules on Unattended Motor Vehicles; Regulating Riding on Motorcycles, Regulations on Backing, Obstruction to Driver's View or Driving Mechanism, Driving on Mountain Highways; Prohibiting Following Fire Apparatus, Crossing Fire Hose; Prohibiting the Deposit of Certain Materials on the Highways; Providing for the Operation of Bicycles and Play Vehicles on the Highway; Providing for Vehicle's Equipment and Devices and Inspection Thereof; Defining and Regulating the Lighting Equipment, Brakes and Other Vehicular Devices on Motor Vehicles and Other Vehicles While Traveling on the Public Highways; Providing for Revocation of Operators' and Chauffeurs' Licenses Upon the Conviction of Certain Crimes and Providing That Upon Application to the Montana Highway Patrol Board by Operators or Chauffeurs Who Have Had Their Licenses Revoked and Upon Proper

Showing on the Part of the Said Applicant the Board May Issue Restricted Licenses; Providing for Enforcement; Providing for Uniformity of Interpretation; Providing That If Part of This Act be Held Unconstitutional It Shall Not Affect Remaining Parts of Act; Repealing Sections 31-107, Revised Codes of Montana, 1947, as Amended by Section 1, Chapter 94, Laws of 1949, 31-108 Revised Codes of Montana, 1947, as Amended by Section 1, Chapter 118, Laws of 1949, 31-109, 32-801, 32-802, 32-803, 32-804, 32-805, 32-806, 32-1011, 32-1015, 32-1017, 32-1101, 32-1102, 32-1103, Revised Codes of Montana, 1947, as Amended by Section 1, Chapter 70, Laws of 1949, 32-1104, 32-1105, 32-1106, 32-1107, 32-1108, 32-1109, 32-1111, 32-1132, 32-1133, 32-1134, 32-1135, 32-1136, 32-1137, 32-1138, 32-1139, 32-1140, 32-1141, 32-1142, 32-1146, 32-1611, 32-1612, 69-1913, 69-1915, Revised Codes of Montana, 1947; Repealing All Acts and Parts of Acts in Conflict Herewith; and Providing Effective Date of Act.

Be it enacted by the Legislative Assembly of the State of Montana:

ARTICLE I

WORDS AND PHRASES DEFINED

Terms defined. Section 1. *Definition of Words and Phrases.* The following words and phrases when used in this act shall, for the purpose of this act, have meanings respectively ascribed to them in this article.

Subdivision I. **Vehicles and Equipment Defined.**

"Vehicle." Section 2. (a) *Vehicle.* Every device, in, upon, or by which any person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks.

"Motor vehicle." (b) *Motor Vehicle.* Every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

"Motorcycle." (c) *Motorcycle.* Every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three (3) wheels in contact with the ground, but excluding a tractor.

(d) *Motor-driven Cycle.* Every motorcycle, including every motor scooter, with a motor which produces not to exceed five (5) horsepower, and every bicycle with motor attached. "Motor driven cycle."

(e) *Authorized Emergency Vehicle.* Vehicles of the fire department, fire patrol, police vehicles, and such ambulances and emergency vehicles of municipal departments or public service corporations or of persons as are designated or authorized by the board. "Authorized emergency vehicle."

(f) *School Bus.* Every motor vehicle owned by a public or governmental agency and operated for the transportation of children to or from school or privately owned and operated for compensation for the transportation of children to or from school. "School bus."

(g) *Bicycle.* Every device propelled by human power upon which any person may ride, having two (2) tandem wheels either of which is more than twenty (20) inches in diameter. "Bicycle."

(h) *Special Mobile Equipment.* Every vehicle not designed or used primarily for the transportation of persons or property and incidentally operated or moved over the highways, including farm tractors, road construction or maintenance machinery, ditch-digging apparatus, well-boring apparatus and concrete mixers. The foregoing enumeration shall be deemed partial and shall not operate to exclude other such vehicles which are within the general terms of this section. "Special mobile equipment."

Section 3. (a) *Truck Tractor.* Every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn. "Truck tractor."

(b) *Farm Tractor.* Every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of husbandry. "Farm tractor."

(c) *Road Tractor.* Every motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load thereon either independently or any part of the weight of a vehicle or load so drawn. "Road tractor."

Section 4. (a) *Truck.* Every motor vehicle designed, used, or maintained primarily for the transportation of property. "Truck."

"Bus."

(b) *Bus*. Every motor vehicle designed for carrying more than ten (10) passengers and used for the transportation of persons; and every motor vehicle, other than a taxicab, designed and used for the transportation of persons for compensation.

"Trackless trolley coach."

(c) *Trackless Trolley Coach*. Every motor vehicle which is propelled by electric power obtained from overhead trolley wires but not operated upon rails.

"Trailer."

Section 5. (a) *Trailer*. Every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

"Semi-trailer."

(b) *Semitrailer*. Every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.

"Pole trailer."

(c) *Pole Trailer*. Every vehicle without power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach, or pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregularly shaped loads such as poles, pipes, or structural members capable, generally, of sustaining themselves as beams between the supporting connections.

"Pneumatic tire."

Section 6. (a) *Pneumatic Tire*. Every tire in which compressed air is designed to support the load.

"Solid tire."

(b) *Solid Tire*. Every tire of rubber or other resilient material which does not depend upon compressed air for the support of the load.

"Metal tire."

(c) *Metal Tires*. Every tire the surface of which in contact with the highway is wholly or partly metal or other hard nonresilient material.

"Railroad."

Section 7. (a) *Railroad*. A carrier of persons or property upon cars, other than streetcars, operated upon stationary rails.

"Railroad train."

(b) *Railroad Train*. A steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails, except streetcars.

Section 8. (a) *Explosives*. Any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion and which contains any oxidizing and combustive units or other ingredients in such proportions, quantities, or packing that an ignition by fire, by friction, by concussion, by percussion, or by detonator of any part of the compound or mixture may cause such sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects or of destroying life or limb. "Explosives."

(b) *Flammable Liquid*. Any liquid which has a flash point of seventy (70) degrees F., or less, as determined by a tagliabue or equivalent closed cup test device. "Flammable liquid."

Section 9. *Gross Weight*. The weight of a vehicle without load plus the weight of any load thereon. "Gross weight."

Subdivision II. Governmental Agencies, Persons, Owners, Etc., Defined.

Section 10. (a) *Supervisor*. The supervisor of the Montana highway patrol of this state. "Supervisor."

(b) *Board*. The Montana highway patrol board of this state acting directly or through its duly authorized officers and agents. "Board."

(c) *Commission*. The state highway commission of Montana. "Commission."

Section 11. (a) *Person*. Every natural person, firm, co-partnership, association, or corporation. "Person."

(b) *Pedestrian*. Any person afoot. "Pedestrian."

(c) *Driver*. Every person who drives or is in actual physical control of a vehicle. "Driver."

(d) *Owner*. A person who holds the legal title of a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this act. "Owner."

"Police officer,
highway
patrolman."

Section 12. *Police Officer or Highway Patrolman.* Every officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

"Local
authorities."

Section 13. *Local Authorities.* Every county, municipal, and other local board or body having authority to enact laws relating to traffic under the constitution and laws of this state.

Subdivision III. Highways, Restricted Districts, Zones, Etc., Defined.

"Street or
highway."

Section 14. (a) *Street or Highway.* The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for the purpose of vehicular travel.

"Private road,
driveway."

(b) *Private Road or Driveway.* Every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

"Roadway."

(c) *Roadway.* That portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the berm or shoulder. In the event a highway includes two (2) or more separate roadways the term "roadway" as used herein shall refer to any such roadway separately but not to all such roadways collectively.

"Sidewalk."

(d) *Sidewalk.* That portion of a street between the curb lines or the lateral lines of a roadway, and the adjacent property lines, intended for use of pedestrians.

"Laned
roadway."

(e) *Laned Roadway.* A roadway which is divided into two (2) or more clearly marked lanes for vehicular traffic.

"Through
highway."

(f) *Through Highway.* Every highway or portion thereof at the entrances to which vehicular traffic from intersecting highways is required by law to stop before entering or crossing the same and when stop signs are erected as provided in this act.

"Controlled
access
highway."

(g) *Controlled-Access Highway.* Every highway, street, or roadway, in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by the public authority having jurisdiction over such highway, street, or roadway.

Section 15. *Intersection.* (a) The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two (2) highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict. "Intersection."

(b) Where a highway includes two roadways thirty (30) feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two (2) roadways thirty (30) feet or more apart, then every crossing of two (2) roadways of such highways shall be regarded as a separate intersection.

Section 16. *Crosswalk.* (a) That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs, or in the absence of curbs, from the edges of the traversable roadway. "Crosswalk."

(b) Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrians crossing by lines or other markings on the surface.

Section 17. *Safety Zone.* The area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone. "Safety zone."

Section 18. (a) *Business District.* The territory contiguous to and including a highway when within any six hundred (600) feet along such highway there are buildings in use for business or industrial purposes, including but not limited to hotels, banks, or office buildings, railroad stations, and public buildings which occupy at least three hundred (300) feet of frontage on one (1) side or three hundred (300) feet collectively on both sides of the highway. "Business district."

(b) *Residence District.* The territory contiguous to and including a highway not comprising a business district when the property on such highway for a distance of three "Residence district."

hundred (300) feet or more is in the main improved with residences or residences and buildings in use for business.

“Official traffic-control devices.”

Section 19. (a) *Official Traffic-control Devices*. All signs, signals, markings, and devices not inconsistent with this act placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning, or guiding traffic.

“Traffic-control signal.”

(b) *Traffic-control Signal*. Any device, whether manually, electrically, or mechanically operated, by which traffic is alternately directed to stop and to proceed.

“Railroad sign or signal.”

(c) *Railroad Sign or Signal*. Any sign, signal, or device erected by authority of a public body or official or by a railroad and intended to give notice of the presence of railroad tracks or the approach of a railroad train.

“Traffic.”

Section 20. *Traffic*. Pedestrians, ridden or herded animals, vehicles, streetcars, and other conveyances either singly or together while using any highways for purposes of travel.

“Right-of-way.”

Section 21. *Right of Way*. The privilege of the immediate use of the roadway.

“Stop.”

Section 21.1. *Stop*. (a) When required means complete cessation from movement.

“Stop, stopping or standing.”

(b) *Stop, Stopping, or Standing*. When prohibited means any stopping or standing of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer, highway patrolman, or traffic-control sign or signal.

“Park.”

(c) *Park*. When prohibited means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading.

“Arterial street.”

Section 21.2. (a) *Arterial Street*. Any U. S. or state numbered route, controlled-access highway, or other major radial or circumferential street or highway designated by local authorities within their respective jurisdictions as part of a major arterial system or highway.

“Implement of husbandry.”

(b) *Implement of Husbandry*. Every vehicle which is designed for agricultural purposes and exclusively used by the owner thereof in the conduct of his agricultural operations.

(c) *Urban District.* The territory contiguous to and including any street which is built up with structures devoted to business, industry, or dwelling houses situated at intervals of less than one hundred (100) feet for a distance of a quarter ($\frac{1}{4}$) of a mile or more.

"Urban district."

ARTICLE II

OBEDIENCE TO AND EFFECT OF TRAFFIC LAWS

Section 22. *Provisions of Act Refer to Vehicles Upon the Highways — Exceptions.* The provisions of this act relating to the operation of vehicles refer exclusively to the operation of vehicles upon highways except:

Act applies to vehicles on highway.

1. Where a different place is specifically referred to in a given section.

Exceptions.

2. The provisions of article IV of this act and chapter 12, title 32, Revised Codes of Montana, 1947, shall apply upon highways and elsewhere throughout the state.

Section 23. *Required Obedience to Traffic Laws.* It is unlawful and, unless otherwise declared in this act with respect to particular offenses, it is a misdemeanor for any person to do any act forbidden or fail to perform any act required in this act.

Obedience to traffic laws required.

General penalty.

Section 24. *Obedience to Police Officers and Highway Patrolmen.* No person shall wilfully fail or refuse to comply with any lawful order or direction of any police officer or highway patrolman *pertaining to the use of the highways by traffic.*

When obedience to police and patrol required.

Section 25. *Public Officers and Employees to Obey Act.*

(a) The provisions of this act applicable to the drivers of vehicles upon the highways shall apply to the drivers of all vehicles owned or operated by the United States, this state, or any county, city, or town, district, or any other political subdivision of the state, except as provided in this section and subject to such specific exceptions as are set forth in this act with reference to authorized emergency vehicles.

Act applies to public officers, employees.

Exception.

(b) *Persons Working on Highways — Exceptions.* Unless specifically made applicable, the provisions of this chapter except those contained in article IX hereof shall not apply to persons, teams, motor vehicles and other equip-

When applied to persons working on highways.

ment while actually engaged in work upon the surface of a highway but shall apply to such persons and vehicles when traveling to or from such work.

Privileges for authorized emergency vehicles in emergency.

Section 25.1 *Authorized Emergency Vehicles.* (a) The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this section, but subject to the conditions herein stated.

(b) The driver of an authorized emergency vehicle may:

1. Park or stand, irrespective of the provisions of this act;
2. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
3. Exceed the speed limits so long as he does not endanger life or property;
4. Disregard regulations governing direction of movement or turning in specified directions.

Audible and visual signals required.

(c) The exemptions herein granted to an authorized emergency vehicle shall apply only when such vehicle is making use of audible and visual signals meeting the requirements of section 131 of this act, except that an authorized emergency vehicle operated as a police vehicle need not be equipped with or display a red light visible from in front of the vehicle.

Due care required.

(d) The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety of others.

Act applies to animal-drawn vehicles.

Section 26. *Traffic Laws Apply to Persons Driving Animal-Drawn Vehicles.* Every person driving an animal-drawn vehicle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this act, except those provisions of this act which by their very nature can have no application.

Section 27. *Provisions of Act Uniform Throughout State.* The provisions of this act shall be applicable and uniform throughout this state and in all political subdivisions and municipalities therein and no local authority shall enact or enforce any ordinance, rule, or regulations in conflict with the provisions of this act unless expressly authorized herein. Local authorities may, however, adopt additional traffic regulations which are not in conflict with the provisions of this act.

Provisions of
act uniform
throughout
state.

Section 28. *Powers of Local Authorities.* (a) The provisions of this act shall not be deemed to prevent local authorities with respect to streets and highways under their jurisdiction and within the reasonable exercise of the police power from:

Powers of local
authorities.

1. Regulating the standing or parking of vehicles:
2. Regulating the traffic by means of police officers or traffic-control devices;
3. Regulating or prohibiting processions or assemblages on the highways;
4. Designating particular highways as one-way highways and requiring that all vehicles thereon be moved in one (1) specific direction;
5. Regulating the speed of vehicles in public parks;
6. Designating any highway as a through highway and requiring that all the vehicles stop before entering or crossing the same designating any intersection as a stop intersection and requiring all vehicles to stop at one or more entrances to such intersections;
7. Restricting the use of highways as authorized in section 32-1128, Revised Codes of Montana, 1947;
8. Regulating the operation of bicycles and requiring the registration and licensing of same, including the requirement of a registration fee;
9. Regulating or prohibiting the turning of vehicles or specified types of vehicles at intersections;
10. Altering the speed limits as authorized herein;
11. Adopting such other traffic regulations as are specifically authorized by this act.

Areas of local
authority
enumerated.

Prior approval
of commission
to stop signs
on highways.

(b) No local authority shall erect or maintain any stop sign or traffic control signal at any location so as to require the traffic on any state highway to stop before entering or crossing any intersecting highway unless approval in writing has first been obtained from the state highway commission.

Posting notice
of ordinance
required.

(c) No ordinance or regulation enacted under subdivision (4), (5), (6), (7) or (10) of section 28 (a) shall be effective until signs giving notice of such local traffic regulations are posted upon or at the entrances to the highway or part thereof affected as may be most appropriate.

Private rights
assured.

Section 29. *This Act Not to Interfere With Rights of Owners of Real Property With Reference Thereto.* Nothing in this act shall be construed to prevent the owner of real property used by the public for purposes of vehicular travel by permission of the owner, from prohibiting such use, or from requiring other or different or additional conditions than those specified in this act, or otherwise regulating such use as may seem best to such owner.

ARTICLE III

TRAFFIC SIGNS, SIGNALS, AND MARKINGS.

Commission
to adopt sign
manual.

Section 30. *State Highway Commission to Adopt Sign Manual.* The state highway commission shall adopt a manual and specifications for a uniform system of traffic-control devices consistent with the provisions of this act for use upon highways within the state. Such uniform system shall correlate with and so far as possible conform to the system then current as approved by the American Association of State Highway Officials.

Commission
to establish
signs on
highways."

Section 31. *State Highway Commission to Sign All State Highways.* (a) The state highway commission shall place and maintain such traffic-control devices, conforming to its manual and specifications, upon all state highways as it shall deem necessary to indicate and to carry out the provisions of this act or to regulate, warn, or guide traffic.

Local signing
forbidden.

(b) No local authority shall place or maintain any traffic-control device upon any highway under the jurisdiction of the state highway commission except by the latter's permission.

Section 32. *Local Traffic-Control Devices.* (a) Local authorities in their respective jurisdictions shall place and maintain such traffic-control devices upon highways under their jurisdiction as they may deem necessary to indicate and to carry out the provisions of this act or local traffic ordinances or to regulate, warn, or guide traffic. All such traffic-control devices hereafter erected shall conform to the state manual and specifications.

Local traffic-control devices.

Section 33. *Obedience to and Required Traffic-control Devices.* (a) The driver of any vehicle shall obey the instructions of any official traffic-control device applicable thereto placed in accordance with the provisions of this act, unless otherwise directed by a highway patrolman or police officer, subject to the exceptions granted the driver of an authorized emergency vehicle in this act.

Requiring obedience to traffic-control devices.

(b) No provision of this act for which signs are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official sign is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section does not state the signs are required, such section shall be effective even though no signs are erected or in place.

When not enforced.

Section 34. *Traffic-control Signal Legend.* Whenever traffic is controlled by traffic-control signals exhibiting the words "go", "caution", or "stop", or exhibiting different colored lights successively one at a time, or with arrows, the following colors only shall be used and said terms and lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

Control signal legend.

(a) *Green Alone or "Go":*

Green—"Go."

1. Vehicular traffic facing the signal may proceed straight through or turn left or right unless a sign at such place prohibits either such turn. But vehicular traffic, including vehicles turning right or left, shall yield the right of way to other vehicles and to pedestrians lawfully within the intersection of an adjacent crosswalk at the time such signal is exhibited.

2. Pedestrians facing the signal may proceed across the roadway within any marked or unmarked crosswalk.

Pedestrians.

(b) *Yellow Alone or "Caution" When Shown Following the Green or "Go" Signal:*

Yellow—"Caution."

1. Vehicular traffic facing the signal is thereby warned that the red or "stop" signal will be exhibited immediately thereafter and such vehicular traffic shall not enter or be crossing the intersection when the red or "stop" signal is exhibited.

Pedestrians. 2. Pedestrians facing such signals are thereby advised that there is insufficient time to cross the roadway, and any pedestrian then starting to cross shall yield the right of way to all vehicles.

Red—"Stop." (c) *Red Alone or "Stop"*:

1. Vehicular traffic facing the signal shall stop before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection and shall remain standing until green or "go" is shown alone.

Pedestrians. 2. No pedestrian facing such signal shall enter the roadway unless he can do so safely and without interfering with any vehicular traffic.

Red with green arrow. (d) *Red With Green Arrow*:

1. Vehicular traffic facing such signal may cautiously enter the intersection only to make the movement indicated by such arrow but shall yield the right of way to pedestrians lawfully within the crosswalk and to other traffic lawfully using the intersection.

Pedestrians. 2. No pedestrian facing such signal shall enter the roadway unless he can do so safely and without interfering with any vehicular traffic.

Traffic control signal other than intersection. (e) *Traffic Control Signal at Place Other Than Intersection*:

1. In the event an official traffic-control signal is erected and maintained at a place other than an intersection, the provisions of this section shall be applicable except as to those provisions which by their very nature can have no application.

2. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking the stop shall be made at the signal.

Pedestrian control signals. Section 35. *Pedestrian Control Signals*. Whenever special pedestrian control signals exhibiting the words "walk" or

“wait” or “don’t walk” are in place such signals shall indicate as follows:

(a) *Walk*. Pedestrians facing such signal may proceed across the roadway in the direction of the signal and shall be given the right of way by the drivers of all vehicles. “Walk.”

(b) *Wait or Don’t Walk*. No pedestrian shall start to cross the roadway in the direction of such signal, but any pedestrian who has partially completed his crossing on the walk signal shall proceed to a sidewalk or safety island while the wait signal is showing. “Wait” or “Don’t walk.”

Section 36. *Flashing Signals*. (a) Whenever an illuminated flashing red or yellow signal is used in a traffic sign or signal it shall require obedience by vehicular traffic as follows: Flashing signal devices.

1. *Flashing Red (stop signal)*. (a) When a red lens is illuminated with rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection or at a limit line when marked, or, if none, then before entering the intersection, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign. Red—Stop.

(b) This section shall not apply at railroad grade crossings. Conduct of drivers of vehicles approaching railroad grade crossings shall be governed by the rules as set forth in section 89 of this act. Exception—railroad crossing.

2. *Flashing Yellow (caution signal)*. When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past such signal only with caution. Yellow—Caution.

Section 37. *Display of Unauthorized Signs, Signals, or Markings*. (a) No person shall place, maintain, or display upon or in view of any highway any unauthorized sign, signal, marking or device which purports to be or is an imitation of or resembles an official traffic-control device or railroad sign, or signal, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any official traffic-control device or any railroad sign or signal. Unauthorized signs, signals, marks forbidden.

(b) No person shall place or maintain nor shall any public authority permit upon any highway any traffic sign or signal bearing thereon any commercial advertising. Advertising on signals forbidden.

Other
information.

(c) This section shall not be deemed to prohibit the erection upon private property adjacent to highways of signs giving useful directional information and of a type that cannot be mistaken for official signs.

Portable
"Caution"
school signs
exempted.

(d) *The prohibition of this section shall not apply to portable "caution" signs placed in the vicinity of schools at those times during which school children are going to and coming from school.*

Prohibited
matter—
public
nuisance—
removal.

(e) Every such prohibited sign, signal, or marking is hereby declared to be a public nuisance and the authority having jurisdiction over the highway is hereby empowered to remove the same or cause it to be removed without notice.

Interference
with signals,
signs, forbidden.

Section 38. *Interference With Official Traffic-control Devices or Railroad Signs or Signals.* No person shall, without lawful authority, attempt to or in fact alter, deface, injure, knock down, or remove any official traffic-control device or any railroad sign or signal or any inscription, shield, or insignia thereon, or any other part thereof.

ARTICLE IV

DRIVING WHILE INTOXICATED, AND RECKLESS DRIVING

Driving or
control under
influence
forbidden.

Section 39. *Persons Under the Influence of Intoxicating Liquor or of Drugs.* (a) It is unlawful and punishable as provided in paragraph (c) of this section for any person who is under the influence of intoxicating liquor to drive or be in actual physical control of any vehicle within this state.

Driving under
influence of
drugs forbidden.

(b) It is unlawful and punishable as provided in paragraph (c) of this section for any person who is an habitual user of or under the influence of any narcotic drug or who is under the influence of any other drug to a degree which renders him incapable of safely driving a vehicle to drive a vehicle within this state. The fact that any person charged with a violation of this paragraph is or has been entitled to use such drug under the laws of this state shall not constitute a defense against any charge of violating this paragraph.

Penalties.

(c) Every person who is convicted of a violation of this section will be punished by imprisonment for not more than six (6) months, or by fine of not less than *fifty dollars*

(\$50.00) nor more than five hundred dollars (\$500.00), or by both such fine and imprisonment. On a second or subsequent conviction he shall be punished by imprisonment for not less than *thirty (30)* days nor more than one (1) year, *or in the discretion of the court, a fine of not less than three hundred dollars (\$300.00) nor more than one thousand dollars (\$1,000.00), or by both such fine and imprisonment.*

Second offense.

The board shall forthwith revoke the license or permit to drive and operating privilege and any non-resident operating privilege of any person convicted under this section; *providing, however, that the board shall have the authority after such revocation upon proper application and proper showing made to the board by the party whose license has been revoked to issue to said party a restricted operator's or chauffeur's license allowing the said party to drive a motor vehicle to and from and in the course of his business only, and such restricted license shall remain in effect at the will of said board.*

Revocation of license or permit.

Proviso—restricted licenses.

Section 40. *Reckless Driving.* (a) Any person who drives any vehicle in willful or wanton disregard for the safety of persons or property is guilty of reckless driving.

Reckless driving.

(b) Every person convicted of reckless driving shall be punished upon a first conviction by imprisonment for a period of not more than ninety (90) days, or by fine of not less than twenty-five dollars (\$25.00) nor more than three hundred dollars (\$300.00), or by both such fine and imprisonment, and on a second or subsequent conviction shall be punished by imprisonment for not less than ten (10) days nor more than six (6) months, or by a fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00), or by both such fine and imprisonment.

Penalty.

Second offense.

ARTICLE V

SPEED RESTRICTIONS

Section 41. *Basic Rule.* (a) *Every person operating or driving a vehicle of any character on a public highway of this state shall drive the same in a careful and prudent manner, and at a rate of speed no greater than is reasonable and proper under the conditions existing at the point of operation, taking into account amount and character of traffic, condition of brakes, weight of vehicle, grade and*

Basic speed rule.

width of highway, condition of surface, and freedom of obstruction to view ahead, and so as not to unduly or unreasonably endanger the life, limb, property, or other rights of any person entitled to the use of the street or highway.

Maximums
otherwise.

(b) Where no special hazard exists that requires lower speed for compliance with paragraph (a) of this section the speed of any vehicle not in excess of the limits specified in this section or established as hereinafter authorized, shall be lawful, but any speed in excess of the limits specified in this section or established as hereinafter authorized shall be unlawful:

1. Twenty-five (25) miles per hour in any urban district;
2. Thirty-five (35) miles per hour on any highways under construction or repairs;
3. Fifty-five (55) miles per hour in such other locations during the night time;

"Daytime"
defined.

Daytime means from a half ($\frac{1}{2}$) hour before sunrise to a half ($\frac{1}{2}$) hour after sunset. Nighttime means at any other hour.

The speed limits set forth in this section may be altered as authorized in sections 42 and 43.

Reduced speed—
when.

(c) The driver of every vehicle shall, consistent with the requirements of paragraph (a), drive at an appropriate reduced speed when approaching and crossing an intersection or railway grade crossing, when approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow or winding roadway, and when special hazard exists with respect to pedestrians or other traffic or by reason of weather or highway condition.

State speed
zones.

Section 42. *Establishment of State Speed Zones.* Whenever the board shall determine upon the basis of an engineering and traffic investigation that any speed hereinbefore set forth is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of a highway, said board may determine and declare a reasonable and safe speed limit thereat which when appropriate signs giving notice thereof are erected shall be effective at all times or during hours of daylight or darkness or at such other times as may be

determined at such intersections or other place or part of the highway.

Section 43. *When Local Authorities May and Shall Alter Limits.* (a) Whenever local authorities in their respective jurisdictions determine on the basis of an engineering and traffic investigation that the speed permitted under this act is greater or less than is reasonable and safe under the conditions found to exist upon a highway or part of a highway, the local authority may determine and declare a reasonable and safe limit thereon which:

Local authorities may alter limits.

1. Decreases the limit at intersection; or
2. Increases the limit within an urban district but not to more than fifty-five (55) miles per hour during night-time; or
3. Decreases the limit outside an urban district, but not to less than thirty-five (35) miles per hour.

(b) Local authorities in their respective jurisdictions shall determine by an engineering and traffic investigation the proper speed for all arterial streets and shall declare a reasonable and safe limit thereon which may be greater or less than the speed permitted under this act for an urban district.

Local jurisdiction on arterial streets.

(c) Any altered limit established as hereinabove authorized shall be effective at all times or during hours of darkness or at other times as may be determined when appropriate signs giving notice thereof are erected upon such street or highway.

Signs and notices of altered limits.

(d) Any alteration of speed limits on state highways or extensions thereof in a municipality by local authorities shall not be effective until such alteration has been approved by the commission.

Municipal alterations on highways—commission approval.

Section 44. *Minimum Speed Regulations.* (a) No person shall drive a motor vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation or in compliance with law.

Minimum speed regulations.

Police officers or highway patrolmen are hereby authorized to enforce this provision by directions to drivers, and in the event of apparent willful disobedience to this pro-

Enforcement.

- Exception. vision and refusal to comply with direction of an officer in accordance herewith the continued slow operation by a driver shall be a misdemeanor, *except that inability to comply with such order will not be construed as willful disobedience.*
- Local minimums authorized. (b) Whenever the board or local authorities within their respective jurisdictions determine on the basis of an engineering and traffic investigation that slow speeds on any part of a highway consistently impede the normal and reasonable movement of traffic, the board or such local authority may determine and declare a minimum speed limit below which no person shall drive a vehicle except when necessary for safe operation or in compliance with law.
- Truck speed limits. Section 45. *Special Speed Limitations on Trucks, Truck Tractors and Motor-driven Cycles.* (a) No person shall operate any truck or truck tractor the gross weight of which exceeds four thousand (4,000) pounds at a speed greater than forty-five (45) miles per hour.
- Motor-driven cycle. (b) No person shall operate any motor-driven cycle at any time mentioned in section 113 at a speed greater than thirty-five (35) miles per hour unless such motor-driven cycle is equipped with a head lamp or lamps which are adequate to reveal a person or vehicle at a distance of three hundred (300) feet ahead.
- Special speed limits, solid tires. Section 46. *Special Speed Limitations.* (a) No person shall drive any vehicle equipped with solid rubber or cushion tires at a speed greater than a maximum of ten (10) miles per hour.
- Bridges, where posted. (b) No person shall drive a vehicle over any bridge or other elevated structure constituting a part of a highway at a speed which is greater than the maximum speed which can be maintained with safety to such bridge or structure, when such structure is signposted as provided in this section.
- Posting, procedure. (c) The board upon request from any local authority may, or upon its own initiative shall, conduct an investigation of any bridge or other elevated structure constituting a part of a highway, and if it shall thereupon find that such structure cannot with safety to itself withstand vehicles traveling at the speed otherwise permissible under this act, the board shall determine and declare the maximum speed

of vehicles which such structure can withstand, and shall cause or permit suitable signs stating such maximum speed to be erected and maintained at a distance of not less than one hundred (100) feet before each end of such structure.

(d) Upon the trial of any person charged with a violation of this section, proof of said determination of the maximum speed by said board and the existence of said signs shall constitute conclusive evidence of the maximum speed which can be maintained with safety to such bridge or structure.

Presumption
of maximum
safe speed.

Section 47. *Charging Violations.* In every charge of violation of any speed regulation in this act the complaint, also the summons, or notice to appear, shall specify the speed at which the defendant is alleged to have driven, also the speed applicable within the district or at the location.

Charging
violations.

ARTICLE VI

DRIVING ON RIGHT SIDE OF ROADWAY — OVERTAKING AND PASSING, ETC.

Section 48. *Drive on Right Side of Roadway — Exceptions.*

(a) Upon all roadways of sufficient width a vehicle shall be driven upon the right half of the roadway, except as follows:

Driving on
right side
required.

1. When overtaking and passing another vehicle proceeding in the same direction under the rules governing such movement;

Exceptions.

2. When the right half of a roadway is closed to traffic while under construction or repair;

3. Upon a roadway divided into three (3) marked lanes for traffic under the rules applicable thereon; or

4. Upon a roadway designated and signposted for one-way traffic.

(b) Upon all roadways any vehicle proceeding at less than the normal speed of traffic at the time and place and under the conditions then existing shall be driven in the right-hand lane then available for traffic, or as close as practicable to the right-hand curb or edge of the roadway except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection or into a private road or driveway.

Approaching
vehicles, passing
to right.

Section 49. *Passing Vehicles Proceeding in Opposite Directions.* Drivers of vehicles proceeding in opposite directions shall pass each other to the right, and upon roadways having width for not more than one (1) line of traffic in each direction each driver shall give to the other at least one-half ($\frac{1}{2}$) of the main-traveled portion of the roadway as nearly as possible.

Overtaking,
pass to left.

Section 50. *Overtaking a Vehicle on the Left.* The following rules shall govern the overtaking and passing of vehicles proceeding in the same direction, subject to those limitations, exceptions, and special rules hereinafter stated:

(a) The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle.

Vehicle being
overtaken—
yield to right.

(b) Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible signal and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

Overtaking
on right
permitted—
when.

Section 51. *When Overtaking on Right is Permitted.* (a) The driver of a vehicle may overtake and pass upon the right of another vehicle only under the following conditions:

1. When the vehicle overtaken is making or about to make a left turn;

2. Upon a street or highway with unobstructed pavement not occupied by parked vehicles of sufficient width for two (2) or more lines of moving vehicles in each direction;

3. Upon a one-way street, or upon any roadway on which traffic is restricted to one (1) direction of movement, where the roadway is free from obstructions and of sufficient width for two (2) or more lines of moving vehicles.

(b) The driver of a vehicle may overtake and pass another vehicle upon the right only under conditions permitting such movement in safety. In no event shall such movement be made by driving off the pavement or main-traveled portion of the roadway.

Section 52. *Limitations on Overtaking on the Left.* No vehicle shall be driven to the left side of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the safe operation of any vehicle approaching from the opposite direction or any vehicle overtaken. In every event the overtaking vehicle must return to the righthand side of the roadway before coming within one hundred (100) feet of any vehicle approaching from the opposite direction.

Limitations
on overtaking
on the left.

Section 53. *Further Limitations on Driving to Left of Center of Roadway.* (a) No vehicle shall at any time be driven to the left side of the roadway under the following conditions:

Forbidding
driving to left
of roadway.

1. When approaching the crest of a grade or upon a curve in the highway where the driver's view is obstructed within such distance as to create a hazard in the event another vehicle might approach from the opposite direction;

2. When approaching within one hundred (100) feet of or traversing any intersection or railroad grade crossing;

3. When the view is obstructed upon approaching within one hundred (100) feet of any bridge, viaduct, or tunnel.

(b) The foregoing limitations shall not apply upon a one-way roadway.

Exception—
one-way road.

Section 54. *No-passing Zones.* The commission is hereby authorized to determine those portions of any highway where overtaking and passing or driving to the left of the roadway would be especially hazardous and may by appropriate signs and markings on the roadway indicate the beginning and end of such zones and when such signs or markings are in place and clearly visible to an ordinarily observant person every driver of a vehicle shall obey the directions thereof.

No-passing
zones.

Section 55. *One-way Roadways and Rotary Traffic Islands.* (a) The commission may designate any highway or any separate roadway under its jurisdiction for one-way traffic and shall erect appropriate signs giving notice thereof.

Commission
may establish
one-way roads.

(b) Upon a roadway designated and signposted for one-way traffic a vehicle shall be driven only in the direction designated.

Rotary traffic
islands.

(c) A vehicle passing around a rotary traffic island shall be driven only to the right of such island.

Laned
roadways—
additional rules.

Section 56. *Driving on Roadways Laned for Traffic.* Whenever any roadway has been divided into two (2) or more clearly marked lanes for traffic the following rules in addition to all others consistent herewith shall apply.

(a) A vehicle shall be driven as nearly as practicable entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety.

(b) Upon a roadway which is divided into three (3) lanes a vehicle shall not be driven in the center lane except when overtaking and passing another vehicle where the roadway is clearly visible and such center lane is clear of traffic within a safe distance, or in preparation for a left turn or where such center lane is at the time allocated exclusively to traffic moving in the direction the vehicle is proceeding and is signposted to give notice of such allocation.

(c) Official signs may be erected directing slow-moving traffic to use a designated lane or designating those lanes to be used by traffic moving in a particular direction regardless of the center of the roadway and drivers of vehicles shall obey the directions of every such sign.

Forbidding
following
too closely.

Section 57. *Following Too Closely.* (a) The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicles and the traffic upon and the condition of the highway.

Towing vehicles.

(b) The driver of any truck tractor, truck or motor vehicle drawing another vehicle when traveling upon a roadway outside of a business or residence district and which is following another truck tractor, truck or motor vehicle drawing another vehicle shall, whenever conditions permit, leave sufficient space so that an overtaking vehicle may enter and occupy such space without danger, except that this shall not prevent a truck tractor, truck or motor

vehicle drawing another vehicle from overtaking and passing any like vehicle or other vehicle.

(c) Motor vehicles being driven upon any roadway outside of a business or residence district in a caravan or motorcade whether or not towing other vehicles shall be so operated as to allow sufficient space between each such vehicle or combination of vehicles so as to enable any other vehicle to enter and occupy such space without danger. This provision shall not apply to funeral processions.

Caravans.

Excepting funerals.

Section 58. *Driving on Divided Highways.* Whenever any highway has been divided into two (2) roadways by leaving an intervening space or by physical barrier or clearly indicated dividing section so constructed as to impede vehicular traffic, every vehicle shall be driven only upon the right-hand roadway and no vehicle shall be driven over, across, or within any such dividing space, barrier, or section except through an opening in such physical barrier or dividing section or space or at a cross-over or intersection established by public authority.

Divided highways.

Section 59. *Restricted Access.* No person shall drive a vehicle onto or from any controlled-access roadway except at such entrances and exits as are established by public authority.

Restricted access.

Section 60. *Restrictions on Use of Controlled-access Roadway.* The commission may by resolution or order entered in its minutes, and local authorities may by ordinance with respect to any controlled-access roadway under their respective jurisdictions prohibit the use of any such roadway by pedestrians, bicycles, or other non-motorized traffic or by any person operating a motor-driven cycle.

Restrictions on use of controlled-access roadways authorized.

The commission or the local authority adopting any such prohibitory regulation shall erect and maintain official signs on the controlled-access roadway on which such regulations are applicable and when so erected no person shall disobey the restrictions stated on such signs.

ARTICLE VII

TURNING AND STARTING AND SIGNALS ON STOPPING AND TURNING

Section 61. *Required Position and Method of Turning at Intersections.* The driver of a vehicle intending to turn at an intersection shall do so as follows:

Turning at intersections.

Right turn. (a) *Right Turns.* Both the approach for a right turn and a right turn shall be made as close as practicable to the right-hand curb or edge of the roadway.

Left turn.
Two-way
roadway. (b) *Left Turn on Two-way Roadways.* At any intersection where traffic is permitted to move in both directions on each roadway entering the intersection, an approach for a left turn shall be made in that portion of the right half of the roadway nearest the center line thereof and by passing to the right of such center line where it enters the intersection and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the center line of the roadway being entered. Whenever practicable the left turn shall be made in that portion of the intersection to the left of the center of the intersection.

Other than two-way roadway. (c) *Left Turns on Other Than Two-way Roadways.* At any intersection where traffic is restricted to one (1) direction on one (1) or more of the roadways, the driver of a vehicle intending to turn left at any such intersection shall approach the intersection in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of such vehicle and after entering the intersection the left turn shall be made so as to leave the intersection, as nearly as practicable, in the left-hand lane lawfully available to traffic moving in such direction upon the roadway being entered.

(d) *Placing of Markers, Buttons and Signs.*

Local
authorities
may place
markers,
buttons or
signs to alter
rule of statute.

1. Local authorities in their respective jurisdictions may cause markers, buttons, or signs to be placed within or adjacent to intersections and thereby require and direct that a different course from that specified in this section be traveled by vehicles turning at an intersection, and when markers, buttons, or signs are so placed no driver of a vehicle shall turn a vehicle at an intersection other than as directed and required by such markers, buttons, or signs.

Prohibiting
turns on curve
or grade crest.

Section 62. *Turning on Curve or Crest of Grade Prohibited.* No vehicle shall be turned so as to proceed in the opposite direction upon any curve, or upon the approach to, or near the crest of a grade, where such vehicle cannot be seen by the driver of any other vehicle approaching from either direction within five hundred (500) feet.

Starting
parked vehicle.

Section 63. *Starting Parked Vehicle.* No person shall

start a vehicle which is stopped, standing, or parked unless and until such movement can be made with reasonable safety.

Section 64. *Turning Movements and Required Signals.*

(a) No person shall turn a vehicle at an intersection unless the vehicle is in proper position upon the roadway as required by section 61 or turn a vehicle to enter a private road or driveway, or otherwise turn a vehicle from a direct course or move right or left upon a roadway unless and until such movement can be made with reasonable safety. No person shall so turn any vehicle without giving an appropriate signal in the manner hereinafter provided in the event any other traffic may be affected by such movement.

Turning
movements
and required
signals.

(b) A signal of intention to turn right or left when required shall be given continuously during not less than the last one hundred (100) feet traveled by the vehicle before turning.

Right or
left turn.

(c) No person shall stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal in the manner provided herein to the driver of any vehicle immediately to the rear when there is opportunity to give such signal.

Decrease
of speed.

Section 65. *Signals by Hand and Arm or Signal Device.*

(a) Any stop or turn signal when required herein shall be given either by means of the hand and arm or by a signal lamp or lamps or mechanical signal device, except as otherwise provided in paragraph (b).

Signals by
hand and arm
or device.

(b) Any motor vehicle in use on a highway shall be equipped with, and required signal shall be given by, a signal lamp or lamps or mechanical signal device when the distance from the center of the top of the steering post to the left outside limit of the body, cap, or load of such motor vehicle exceeds twenty-four (24) inches, or when the distance from the center of the top of the steering post to the rear limit of the body or load thereof exceeds fourteen (14) feet. The latter measurement shall apply to any single vehicle, also to any combination of vehicle.

Signal lights
or device
required on
certain vehicles.

Section 66. *Method of Giving Hand-and-Arm Signals.*

All signals herein required given by hand and arm shall

Hand and arm
signals—
method.

be given from the left side of the vehicle in the following manner and such signals shall indicate as follows:

1. Left turn. Hand and arm extended horizontally.
2. Right turn. Hand and arm extended upward.
3. Stop or decrease speed. Hand and arm extended downward.

ARTICLE VIII

RIGHTS OF WAY

Right-of-way
approaching
intersection.

Section 67. *Vehicle Approaching or Entering Intersection.* (a) The driver of a vehicle approaching an intersection shall yield the right of way to a vehicle which has entered the intersection from a different highway.

(b) When two (2) vehicles enter an intersection from different highways at approximately the same time, the driver of the vehicle on the left shall yield the right of way to the vehicle on the right.

(c) The right-of-way rules declared in paragraphs (a) and (b) are modified at through highways and otherwise as hereinafter stated in this article.

Left turn at
intersection

Section 68. *Vehicle Turning Left at Intersection.* The driver of a vehicle within an intersection intending to turn to the left shall yield the right of way to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard, but said driver, having so yielded and having given a signal when and as required by this act, may make such left turn and the drivers of all other vehicles approaching the intersection from said opposite direction shall yield the right of way to the vehicle making the left turn. *The provisions of this section shall not be applicable where it is otherwise directed by appropriate signs or signals.*

Entering
through
highway
or stop
intersection.

Section 69. *Vehicle Entering Through Highway or Stop Intersection.* (a) The driver of a vehicle shall stop as required by section 93 of this act at the entrance to a through highway and shall yield the right of way to other vehicles which have entered the intersection from said through highway or which are approaching so closely on said through highway as to constitute an immediate hazard but

said driver having so yielded may proceed and the drivers of all other vehicles approaching the intersection on said through highway shall yield the right of way to the vehicle so proceeding into or across the through highway.

(b) The driver of a vehicle shall likewise stop in obedience to a stop sign as required herein at an intersection where a stop sign is erected at one (1) or more entrances thereto although not a part of a through highway and shall proceed cautiously, yielding to vehicles not so obliged to stop which are within the intersection or approaching so closely as to constitute an immediate hazard, but may then proceed.

Section 70. *Vehicle Entering Highway From Private Road or Driveway.* The driver of a vehicle about to enter or cross a highway from a private road or driveway shall yield the right of way to all vehicles approaching on said highway.

Entering from private road.

Section 71. *Vehicles Approaching "Yield Right-of-Way" Sign.* When the intersection is designated by the commission, or the local authority having jurisdiction, as a "yield right-of-way" intersection, the driver of a vehicle approaching the "yield right-of-way" sign shall slow to a speed of not more than fifteen (15) miles per hour and yield right of way to all vehicles approaching from the right or left on the intersecting roads, or streets, which are so close as to constitute an immediate hazard. If a driver is involved in a collision at an intersection or interferes with the movement of other vehicles after driving past a "yield right-of-way" sign, such collision or interference shall be deemed evidence of the driver's failure to yield right of way.

"Yield right-of-way" intersections.

Section 72. *Operation of Vehicles on Approach of Authorized Emergency Vehicles.* (a) Upon the immediate approach of an authorized emergency vehicle making use of audible and visual signals meeting the requirements of section 130 of this act, or of a police vehicle properly and lawfully making use of an audible signal only, the driver of every other vehicle shall yield the right of way and shall immediately drive to a position parallel to, and as close as possible to, the right-hand edge or curb of the roadway clear of any intersection and shall stop and remain in such position until the authorized emergency vehicle has passed,

Operation of vehicle on approach of emergency vehicle.

except when otherwise directed by a police officer or highway patrolman.

(b) This section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway.

ARTICLE IX

PEDESTRIANS' RIGHTS AND DUTIES

Pedestrians
subject
to traffic
regulations.

Section 73. *Pedestrians Subject to Traffic Regulations.*

(a) Pedestrians shall be subject to traffic-control signals at intersections as provided in section 34 of this act unless required by local ordinance to comply strictly with such signals, but at all other places pedestrians shall be accorded the privileges and shall be subject to the restrictions stated in this article.

(b) Local authorities are hereby empowered by ordinance to require that pedestrians shall strictly comply with the directions of any official traffic-control signal and may by ordinance prohibit pedestrians from crossing any roadway in a business district or any designated highways except in a crosswalk.

Pedestrians'
right-of-way
in cross-walk.

Section 74. *Pedestrians' Right of Way in Crosswalk.*

(a) When traffic-control signals are not in place or not in operation the driver of a vehicle shall yield the right of way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger, but no pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield. This provision shall not apply under the conditions stated in section 75 (b).

Passing at
intersection,
when forbidden.

(b) Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.

Section 75. *Crossing at Other Than Crosswalks.* (a) Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right of way to all vehicles upon the roadway.

Regulating
crossing at
other than
crosswalks.

(b) Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right of way to all vehicles upon the roadway.

(c) Between adjacent intersections at which traffic-control signals are in operation pedestrians shall not cross at any place except in a marked crosswalk.

Section 76. *Drivers to Exercise Due Care.* Notwithstanding the foregoing provisions of this article every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway and shall give warning by sounding the horn when necessary and shall exercise proper precaution upon observing any child or any confused or incapacitated person upon a roadway.

Due care
required
of drivers.

Section 77. *Pedestrians to Use Right Half of Crosswalk.* Pedestrians shall move, whenever practicable, upon the right half of crosswalks.

Pedestrians to
keep to right
of crosswalk.

Section 78. *Pedestrians on Roadways.* (a) Where sidewalks are provided it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.

Pedestrian to
walk facing
traffic on
roadway.

(b) Where sidewalks are not provided any pedestrian walking along and upon a highway shall, when practicable, walk only on the left side of the roadway or its shoulder facing traffic which may approach from the opposite direction.

Section 79. *Pedestrian Soliciting Rides or Business.* (a) No person shall stand in a roadway for the purpose of soliciting a ride, employment, or business from the occupant of any vehicle.

Hitchhiking.

(b) No person shall stand on or in proximity to a street or highway for the purpose of soliciting the watching or guarding of any vehicle while parked or about to be parked on a street or highway.

Section 80. *Intoxicated Pedestrian.* No person shall walk

Forbidding
intoxicated
pedestrians.

upon or along the highway while under the influence of intoxicating liquor.

ARTICLE X

OPERATION OF BICYCLES AND PLAY VEHICLES

Penalty.

Section 81. *Effect of Regulations.* (a) It is a misdemeanor for any person to do any act forbidden or fail to perform any act required in this article.

(b) These regulations applicable to bicycles shall apply whenever a bicycle is operated upon any highway or upon any path set aside for the exclusive use of bicycles subject to those exceptions stated herein.

Traffic laws apply to bicycles.

Section 82. *Traffic Laws Apply to Persons Riding Bicycles.* Every person riding a bicycle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this act, except as to special regulations in this article and except as to those provisions of this act which by their very nature can have no application.

Manner of riding.

Section 83. *Riding on Bicycles.* A person propelling a bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto.

Hooking to vehicles forbidden.

Section 84. *Clinging to Vehicles.* No person riding upon any bicycle, coaster, roller skates, sled, or toy vehicle shall attach the same or himself to any vehicle upon a roadway.

Riding on roadways and cycle paths.

Section 85. *Riding on Roadways and Bicycle Paths.* (a) Every person operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

(b) Persons riding bicycles upon a roadway shall not ride more than two (2) abreast except on paths or parts of roadways set aside for the exclusive use of bicycles.

(c) Whenever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway.

Requiring one hand on handlebars.

Section 86. *Carrying Articles.* No person operating a bicycle shall carry any package, bundle, or article which prevents the driver from keeping at least one (1) hand upon the handle bars.

Section 87. *Lamps and Other Equipment on Bicycles.*

(a) Every bicycle when in use at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least five hundred (500) feet to the front and with a red reflector on the rear of a type approved by the board which shall be visible from all distances from fifty (50) feet to three hundred (300) feet to the rear when directly in front of lawful upper beams of head lamps on a motor vehicle. A lamp emitting a red light visible from a distance of five hundred (500) feet to the rear may be used in addition to the red reflector.

Lamps and
other
equipment
required.

(b) Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement.

Brake required.

ARTICLE XI

SPECIAL STOPS REQUIRED

Section 88. *Obedience to Signal Indicating Approach of Train.* (a) Whenever any person driving a vehicle approaches a railroad grade crossing under any of the circumstances stated in this section, the driver of such vehicle shall stop within fifty (50) feet but not less than fifteen (15) feet from the nearest rail of such railroad, and shall not proceed until he can do so safely. The foregoing requirements shall apply when:

Stop required
at train signal.

1. A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train;

2. A crossing gate is lowered or when a human flagman gives or continues to give a signal of the approach or passage of a railroad train;

3. A railroad train approaching within approximately one thousand five hundred (1,500) feet of the highway crossing emits a signal audible from such distance and such railroad train, by reason of its speed or nearness to such crossing, is an immediate hazard;

4. An approaching railroad train is plainly visible and is in hazardous proximity to such crossing.

(b) No person shall drive any vehicle through, around, or under any crossing gate or barrier at a railroad crossing

while such gate or barrier is closed or is being opened or closed.

Stop signs
authorized
at certain
crossings.

Section 89. *All Vehicles Must Stop at Certain Railroad Grade Crossings.* The commission and local authorities are hereby authorized to designate particularly dangerous highway grade crossings of railroads and to erect stop signs thereat. When such stop signs are erected the driver of any vehicle shall stop within fifty (50) feet but not less than fifteen (15) feet from the nearest rail of such railroad and shall proceed only upon exercising due care.

Certain vehicles
must stop at
all railroad
crossings.

Section 90. *Certain Vehicles Must Stop At All Railroad Grade Crossings.* (a) The driver of any motor vehicle carrying passengers for hire, or of any school bus carrying any school child, or of any vehicle carrying explosive substances or flammable liquids as a cargo or part of a cargo, before crossing at grade any track or tracks of a railroad, shall stop such vehicle within fifty (50) feet but not less than fifteen (15) feet from the nearest rail of such railroad and while so stopped shall listen and look in both directions along such track for any approaching train, and for signals indicating the approach of a train, except as hereinafter provided, and shall not proceed until he can do so safely. After stopping as required herein and upon proceeding when it is safe to do so the driver of any said vehicle shall cross only in such gear of the vehicle that there will be no necessity for changing gears while traversing such crossings and the driver shall not shift gears while crossing the track or tracks.

Exceptions.

(b) No stop need be made at any such crossing where a police officer or highway patrolman or traffic-control signal directs traffic to proceed.

(c) This section shall not apply at street-railway grade crossings within a business or residence district.

Moving certain
equipment
at railroad
crossings.

Section 91. *Moving Heavy Equipment at Railroad Grade Crossings.* (a) No person shall operate or move any crawler-type tractor, steam shovel, derrick, roller or any equipment or structure having a normal operating speed of ten (10) or less miles per hour or a vertical body or load clearance of less than one-half ($\frac{1}{2}$) inch per foot of the distance between any two (2) adjacent axles or in any event of less than nine (9) inches, measured above the level surface of

a roadway, upon or across any tracks at a railroad grade crossing without first complying with this section.

(b) Notice of any such intended crossing shall be given to a station agent of such railroad and reasonable time be given to such railroad to provide proper protection at such crossing.

(c) Before making any such crossing the person operating or moving any such vehicle or equipment shall first stop the same not less than fifteen (15) feet nor more than fifty (50) feet from the nearest rail of such railroad and while so stopped shall listen and look in both directions along such track for any approaching train and for signals indicating the approach of a train, and shall not proceed until the crossing can be made safely.

(d) No such crossing shall be made when warning is given by automatic signal or crossing gates or a flagman or otherwise of the immediate approach of a railroad train or car. If a flagman is provided by the railroad, movement over the crossing shall be under his direction.

Section 92. *Vehicles Must Stop at Stop Signs.* (a) The commission with reference to state highways and local authorities with reference to other highways under their jurisdiction may designate through highways and erect stop signs at specified entrances thereto or may designate any intersection as a stop intersection and erect like signs at one (1) or more entrances to such intersection.

Authorizing
stop signs.

(b) Every said sign shall bear the word "stop" in letters not less than eight (8) inches in height and such sign shall at nighttime be rendered luminous by steady or flashing internal illumination, or by a fixed floodlight projected on the face of the sign, or by efficient reflecting elements on the face of the sign.

Form.

(c) Every stop sign shall be erected as near as practicable to the nearest line of the crosswalk on the near side of the intersection or, if there is no crosswalk, then as close as practicable to the nearest line of the roadway.

Location.

(d) Every driver of a vehicle approaching a stop sign shall stop before entering the crosswalk on the near side of the intersection or in the event there is no crosswalk shall stop at a clearly marked stop line, but if none, then at

Stop required.

the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection except when directed to proceed by a police officer or highway patrolman or traffic-control signal.

Stop before
emerging
from alley,
driveway
or building.

Section 93. *Stop Before Emerging From Alley, Driveway, or Building.* The driver of a vehicle within a business or residence district emerging from an alley, driveway, or building, shall stop such vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across any alleyway or driveway and shall yield the right of way to any pedestrian as may be necessary to avoid collision, and upon entering the roadway shall yield the right of way to all vehicles approaching on said roadway.

Stop on signal
for halted
school bus.

Section 94. *Overtaking and Passing School Bus.* (a) The driver of a vehicle upon a highway outside of a business or residence district upon meeting or overtaking from either direction any school bus which has stopped on the highway for the purpose of receiving or discharging any school children shall stop the vehicle before reaching such school bus when there is in operation on said bus a visual signal as specified in section 129 and said driver shall not proceed until such school bus resumes motion, or is signaled by the school bus driver to proceed as the visual signals are no longer actuated.

Lettering on
school bus
required.

(b) Every bus used for the transportation of school children shall bear upon the front and rear thereof plainly visible signs containing the words "school bus" in letters not less than eight (8) inches in height, and in addition shall be equipped with visual signals meeting the requirements of section 129 of this act, which shall be actuated by the driver of said school bus whenever but only whenever such vehicle is stopped on the highway for the purpose of receiving or discharging school children.

(c) When a school bus is being operated upon a highway for purposes other than the actual transportation of children either to or from school all markings thereon indicating "school bus" shall be covered or concealed.

(d) The driver of a vehicle upon a highway with separate roadways need not stop upon meeting or passing a school bus which is on a different roadway or when upon a con-

trolled-access highway and the school bus is stopped in a loading zone which is a part of or adjacent to such highway and where pedestrians are not permitted to cross the roadway.

Section 95. *Special Lighting Equipment on School Busses.* It shall be unlawful to operate any flashing warning signal light on any school bus except when any said school bus is stopped on a highway for the purpose of permitting school children to board or alight from said school bus.

Lighting equipment on school bus, when not to be operated.

ARTICLE XII

STOPPING, STANDING, AND PARKING

Section 96. *Stopping, Standing, or Parking Outside of Business or Residence Districts.* (a) Upon any highway outside of a business or residence district no person shall stop, park, or leave standing any vehicle, whether attended or unattended, upon the paved or main-traveled part of the highway when it is practical to stop, park, or so leave such vehicle off such part of said highway, but in every event an unobstructed width of the highway opposite a standing vehicle shall be left for the free passage of other vehicles; and no person shall stop, stand or park any vehicle upon such highway unless such vehicle can be seen by the driver of any other vehicle approaching, from either direction, within five hundred (500) feet and unless drivers approaching from opposite directions are visible to each other when both are at least five hundred (500) feet from the vehicle to be stopped, turned or parked, except in cases of justifiable emergency.

Stopping or standing on highway outside urban area.

(b) This section shall not apply to the driver of any vehicle which is disabled while on the paved or main-traveled portion of a highway in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving such disabled vehicle in such position.

Exception—disability.

Section 97. *Officers or Highway Patrolmen Authorized to Remove Illegally Stopped Vehicles.* (a) Whenever any police officer or highway patrolman finds a vehicle standing upon a highway in violation of any of the foregoing provisions of this article such officer or highway patrolman is hereby authorized to move such vehicle, or require the driver or other person in charge of the vehicle to move the

Authorizing removal of illegally stopped vehicle.

same, to a position off the paved or main-traveled part of such highway.

Stopping,
standing,
parking
forbidden—
when.

(b) Whenever any police officer or highway patrolman finds a vehicle unattended upon any bridge or causeway or in any tunnel where such vehicle constitutes an obstruction to traffic, such officer or highway patrolman is hereby authorized to provide for the removal of such vehicle to the nearest place of safety.

Section 98. *Stopping, Standing, or Parking Prohibited in Specified Places.* (a) No person shall stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or highway patrolman or traffic-control device, in any of the following places:

1. On a sidewalk;
2. In front of a public or private driveway;
3. Within an intersection;
4. Within fifteen (15) feet of a fire hydrant;
5. On a crosswalk;
6. Within twenty (20) feet of a crosswalk at an intersection;
7. Within thirty (30) feet upon the approach to any flashing beacon, stop sign, or traffic-control signal located at the side of a roadway;
8. Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless the local authorities indicate a different length by signs or markings;
9. Within fifty (50) feet of the nearest rail of a railroad crossing;
10. Within twenty (20) feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five (75) feet of said entrance when properly signposted;
11. Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;

12. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;

13. Upon any bridge or other elevated structure upon a highway or within a highway tunnel;

14. At any place where official signs prohibit stopping.

(b) No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such distance as is unlawful.

Section 99. *Additional Parking Regulations.* (a) Except as otherwise provided in this section every vehicle stopped or parked upon a roadway where there are adjacent curbs shall be so stopped or parked with the right-hand wheels of such vehicle parallel to and within eighteen (18) inches of the right-hand curb.

Additional
parking
regulations.

(b) Local authorities may by ordinance permit parking of vehicle with the left-hand wheels adjacent to and within eighteen (18) inches of the left-hand curb of a one-way roadway.

(c) Local authorities may by ordinance permit angle parking on any roadway, except that angle parking shall not be permitted on any federal-aid or state highway unless the commission has determined by resolution or order entered in its minutes that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic.

(d) The commission with respect to highways under its jurisdiction may place signs prohibiting or restricting the stopping, standing, or parking of vehicles on any highway where in its opinion, as evidenced by resolution or order entered in its minutes, such stopping, standing, or parking, is dangerous to those using the highway or where the stopping, standing, or parking of vehicles would unduly interfere with the free movement of traffic thereon. Such signs shall be official signs and no person shall stop, stand, or park any vehicle in violation of the restrictions stated on such signs.

ARTICLE XIII

MISCELLANEOUS RULES

Section 100. *Unattended Motor Vehicles.* No person driving or in charge of a motor vehicle shall permit it to stand

Unattended
vehicles—
manner
of parking.

unattended without first stopping the engine, and effectively setting the brake thereon and, when standing upon any grade, turning the front wheels to the curb or side of the highway in such a manner as to prevent the vehicle from rolling onto the roadway.

Limitations
on backing.

Section 101. *Limitations on Backing.* The driver of a vehicle shall not back the same unless such movement can be made with reasonable safety and without interfering with other traffic.

Riding on
motorcycles.

Section 102. *Riding on Motorcycles.* A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto, and such operator shall not carry any other person nor shall any other person ride on a motorcycle unless such motorcycle is designed to carry more than one 1) person, in which event a passenger may ride upon the permanent and regular seat if designed for two (2) persons, or upon another seat firmly attached to the rear or side of the operator.

Forbidding
obstruction of
driver's view
or mechanism.

Section 103. *Obstruction to Driver's View or Driving Mechanism.* (a) No person shall drive a vehicle when it is so loaded, or when there are in the front seat such number of persons, exceeding three (3), as to obstruct the view of the driver to the front or sides of the vehicle or as to interfere with the driver's control over the driving mechanism of the vehicle.

(b) No passenger in a vehicle shall ride in such position as to interfere with the driver's view ahead or to the sides, or to interfere with his control over the driving mechanism of the vehicle.

Mountain
highways.

Section 104. *Driving on Mountain Highways.* The driver of a motor vehicle traveling through defiles or canyons or on mountain highways shall hold such motor vehicle under control and as near the right-hand edge of the highway as reasonably possible.

Coasting
down grade
prohibited.

Section 105. *Coasting Prohibited.* The driver of any motor vehicle when traveling upon a down grade shall not coast with the gears of such vehicle in neutral or with the clutch *manually* disengaged.

Following fire
apparatus—
limitation.

Section 106. *Following Fire Apparatus Prohibited.* The driver of any vehicle other than one on official business shall not follow any fire apparatus traveling in response

to a fire alarm closer than five hundred (500) feet or drive into or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm.

Section 107. *Crossing Fire Hose.* No vehicle shall be driven over any unprotected hose of a fire department when laid down on any street, or private driveway, to be used at any fire or alarm of fire, without the consent of the fire department official in command.

Crossing
fire hose—
limitation.

Section 108. *Putting Glass, etc., on Highway Prohibited.* (a) No person shall throw or deposit upon any highway any glass bottle, glass, nails, tacks, wire, cans, or any other substance likely to injure any person, animal, or vehicle upon such highway.

Putting glass,
etc., on highway
forbidden.

(b) Any person who drops, or permits to be dropped or thrown, upon any highway any destructive or injurious material shall immediately remove the same or cause it to be removed.

(c) Any person removing a wrecked or damaged vehicle from a highway shall remove any glass or other injurious substance dropped upon the highway from such vehicle.

Section 109. *Riding on Fenders or Running Boards Prohibited.* Any person driving a vehicle shall not permit passengers to ride on the fenders or running boards nor shall any passenger ride on the fenders or running boards of a vehicle.

Riding on
fenders or
running boards
forbidden.

Section 110. *Shooting From or Across Highway.* No person shall shoot any firearm from or across the roadway of any state or federal highway.

Shooting from
or across
highway
forbidden.

ARTICLE XIV

EQUIPMENT

Section 111. *Scope and Effect of Regulations.* (a) It is a misdemeanor for any person to drive or move or for the owner to cause or knowingly permit to be driven or moved on any highway any vehicle or combination of vehicles which is in such unsafe condition as to endanger any person, or which does not contain those parts or is not at all times equipped with such lamps and other equipment in proper condition and adjustment as required in this article or which is equipped in any manner in violation of

Scope and effect
of statutes
governing
equipment.

this article, or for any person to do any act forbidden or fail to perform any act required under this article.

(b) Nothing contained in this article shall be construed to prohibit the use of additional parts and accessories on any vehicle not inconsistent with the provisions of this article.

Excepting
certain vehicles.

(c) The provisions of this article with respect to equipment on vehicles shall not apply to implements of husbandry, road machinery, road rollers, or farm tractors except as herein made applicable.

Lighted lamps
required.

Section 112. *When Lighted Lamps Are Required.* Every vehicle upon a highway within this state at any time from a half ($\frac{1}{2}$) hour after sunset to a half ($\frac{1}{2}$) hour before sunrise and at any other time when due to insufficient light, or unfavorable atmospheric conditions, persons and vehicles on the highway are not clearly discernible at a distance of five hundred (500) feet ahead shall display lighted lamps and illuminating devices as hereinafter respectively required for different classes of vehicles, subject to exceptions with respect to parked vehicles.

Standards of
application
of lamp
requirements

Section 113. *Visibility Distance and Mounted Height of Lamps.* (a) Whenever requirement is hereinafter declared as to the distance from which certain lamps and devices shall render objects visible or within which such lamps or devices shall be visible, said provisions shall apply during the times stated in section 112 in respect to a vehicle without load when upon a straight, level, unlighted highway under normal atmospheric conditions unless a different time or condition is expressly stated.

(b) Whenever requirement is hereinafter declared as to the mounted height of lamps or devices it shall mean from the center of such lamp or device to the level ground upon which the vehicle stands when such vehicle is without a load.

Head lamps on
motor vehicles.

Section 114. *Head Lamps on Motor Vehicles.* (a) Every motor vehicle other than a motorcycle or motor-driven cycle shall be equipped with at least two (2) head lamps with at least one (1) on each side of the front of the motor vehicle, which head lamps shall comply with the requirements and limitations set forth in this article.

Motorcycles.

(b) Every motorcycle and every motor-driven cycle shall be equipped with at least one (1) and not more than

two (2) head lamps which shall comply with the requirements and limitations of this article.

(c) Every head lamp upon every motor vehicle, including every motorcycle and every motor-driven cycle, shall be located at a height measured from the center of the head lamp of not more than fifty-four (54) inches nor less than twenty-eight (28) inches to be measured as set forth in section 113 (b). Location.

Section 115. *Tail Lamps.* (a) Every motor vehicle, trailer, semitrailer, and pole trailer, and any other vehicle which is being drawn at the end of a train of vehicles, shall be equipped with at least one (1) tail lamp mounted on the rear, which, when lighted as hereinbefore required, shall emit a red light plainly visible from a distance of five hundred (500) feet to the rear, provided that in the case of a train of vehicles only the tail lamp on the rearmost vehicle need actually be seen from the distance specified. And further, every such above-mentioned vehicle, other than a truck tractor, registered in this state and manufactured or assembled after January 1, 1956, shall be equipped with at least two (2) tail lamps mounted on the rear, which when lighted as herein required, shall comply with the provisions of this section. Tail lamps.

(b) Every tail lamp upon every vehicle shall be located at a height of not more than seventy-two (72) inches nor less than twenty (20) inches. Location.

(c) Either tail lamp or a separate lamp shall be so constructed and placed as to illuminate with a white light the rear registration plate and render it clearly legible from a distance of fifty (50) feet to the rear. Any tail lamp or tail lamps, together with any separate lamp for illuminating the rear registration plate, shall be so wired as to be lighted whenever the head lamps or auxiliary driving lamps are lighted. Lighting
registration
plate.

Section 116. *New Motor Vehicles to be Equipped With Reflectors.* (a) Every new motor vehicle hereafter sold and operated upon a highway, other than a truck tractor, shall carry on the rear, either as a part of the tail lamps or separately, two (2) red reflectors, except that every motorcycle and motor-driven cycle shall carry at least one (1) reflector, meeting the requirements of this section, and except that vehicles of the type mentioned in section 119 Red reflectors
required.

shall be equipped with reflectors as required in those sections applicable thereto.

Reflector
standards.

(b) Every such reflector shall be mounted on the vehicle at a height not less than twenty (20) inches nor more than sixty (60) inches measured as set forth in section 113 (b), and shall be of such size and characteristics and so mounted as to be visible at night from all distances within three hundred (300) feet to fifty (50) feet from such vehicle when directly in front of lawful upper beams of head lamps, except that visibility from a greater distance is hereinafter required of reflectors on certain types of vehicles.

Stop lamps
required on
new vehicles.

Section 117. *Stop Lamps and Turn Signals Required on New Motor Vehicles.* From and after January 1, 1956, it shall be unlawful for any person to sell any new motor vehicle, including any motorcycle or motor-driven cycle, in this state or for any person to drive such vehicle on the highways unless it is equipped with at least one (1) stop lamp meeting the requirements of section 130.

Application
of Sections
119, 120, 121,
122, and 124.

Section 118. *Application of Succeeding Sections.* Those sections of this act which follow immediately including sections 119, 120, 121, 122, and 124 relating to clearance and marker lamps, reflectors, and stop lights, shall apply as stated in said sections to vehicles of the type therein enumerated, namely passenger busses, trucks, truck tractors, and certain trailers, semitrailers, and pole trailers, respectively, when operated upon any highway, and said vehicles shall be equipped as required and all lamp equipment required shall be lighted at all times mentioned in section 112 except that clearance and side marker lamps need not be lighted on any said vehicle when operated within any municipality where there is sufficient light to render clearly discernible persons and vehicles on the highway at a distance of five hundred (500) feet.

Additional
equipment
required on
certain vehicles.

Section 119. *Additional Equipment Required on Certain Vehicles.* In addition to other equipment required in this act the following vehicles shall be equipped as herein stated under the conditions stated in section 118.

(a) On every bus or truck, whatever its size, there shall be the following:

On the rear, two (2) reflectors, one (1) at each side, and one (1) stop light.

(b) On every bus or truck eighty (80) inches or more in over-all width, in addition to the requirements in paragraph (a) :

On the front, two (2) clearance lamps, one (1) at each side.

On the rear, two (2) clearance lamps, one (1) at each side.

On each side, two (2) side marker lamps, one (1) at or near the front and one (1) at or near the rear.

On each side, two (2) reflectors, one (1) at or near the front and one (1) at or near the rear.

(c) On every truck tractor :

On the front, two (2) clearance lamps, one (1) at each side.

On the rear, one (1) stop light.

(d) On every trailer or semitrailer having a gross weight in excess of three thousand (3,000) pounds :

On the front, two (2) clearance lamps, one (1) at each side.

On each side, two (2) side marker lamps, one (1) at or near the front and one (1) at or near the rear.

On each side, two (2) reflectors, one (1) at or near the front and one (1) at or near the rear.

On the rear, two (2) clearance lamps, one (1) at each side, also two (2) reflectors, one (1) at each side, and one (1) stop light.

(e) On every pole trailer in excess of three thousand (3,000) pounds gross weight :

On each side, one (1) side marker lamp and one (1) clearance lamp which may be in combination, to show to the front, side, and rear.

On the rear of the pole trailer or load, two (2) reflectors, one (1) at each side.

(f) On every trailer, semitrailer, or pole trailer weighing three thousand (3,000) pounds gross or less :

On the rear, two (2) reflectors, one (1) on each side. If any trailer or semitrailer is so loaded or is of such dimen-

sions as to obscure the stop light on the towing vehicle, then such vehicle shall also be equipped with one (1) stop light.

Board may
add rules.

(g) The board is hereby empowered to make additional rules and regulations governing the use of safety equipment on motor vehicles, vehicles and/or combination of vehicles, that is, trailer hitches, safety chains, mounts, tow bars and other similar equipment as it shall deem advisable for the protection of the public; provided further that any violation of any rules and regulations adopted by the board shall be deemed a misdemeanor.

Color of
clearance,
side marker,
reflector and
back-up lamps.

Section 120. *Color of Clearance Lamps, Side Marker Lamps, Reflectors and Back-up Lamps.* (a) Front clearance lamps and those marker lamps and reflectors mounted on the front or on the side near the front of a vehicle shall display or reflect an amber color.

(b) Rear clearance lamps and those marker lamps and reflectors mounted on the rear or on the sides near the rear of a vehicle shall display or reflect a red color.

(c) All lighting devices and reflectors mounted on the rear of any vehicle shall display or reflect a red color, except the stop light or other signal device, which may be red, amber, or yellow, and except that the light illuminating the license plate shall be white and the light emitted by a back-up lamp may be white, amber, or red.

How side
lamps mounted.

Section 121. *Mounting of Reflectors, Clearance Lamps, and Side Marker Lamps.* (a) Reflectors when required by section 119 shall be mounted at a height not less than twenty-four (24) inches and not higher than sixty (60) inches above the ground on which the vehicle stands, except that if the highest part of the permanent structure of the vehicle is less than twenty-four (24) inches the reflector at such point shall be mounted as high as that part of the permanent structure will permit.

The rear reflectors on a pole trailer may be mounted on each side of the bolster or load.

Any required red reflector on the rear of a vehicle may be incorporated with the tail lamp, but such reflector shall meet all the other reflector requirements of this act.

(b) Clearance lamps shall be mounted on the permanent structure of the vehicle in such a manner as to indicate its

extreme width and as near the top thereof as practicable. Clearance lamps and side marker lamps may be mounted in combination provided illumination is given as required herein with reference to both.

Section 122. *Visibility of Reflectors, Clearance Lamps, and Marker Lamps.* (a) Every reflector upon any vehicle referred to in section 119 shall be of such size and characteristics and so maintained as to be readily visible at night-time from all distances within six hundred (600) feet to one hundred (100) feet from the vehicle when directly in front of lawful upper beams of headlamps. Reflectors required to be mounted on the sides of the vehicle shall reflect the required color of light to the sides, and those mounted on the rear shall reflect a red color to the rear.

Standard
of visibility.

(b) Front and rear clearance lamps shall be capable of being seen and distinguished under normal atmospheric conditions at the times lights are required at a distance of five hundred (500) feet from the front and rear respectively, of the vehicle.

(c) Side marker lamps shall be capable of being seen and distinguished under normal atmospheric conditions at the times lights are required at a distance of five hundred (500) feet from the side of the vehicle on which mounted.

Section 123. *Obstructed Lights Not Required.* Whenever motor and other vehicles are operated in combination during the time that lights are required, any lamp (except tail lamps) need not be lighted which, by reason of its location on a vehicle of the combination, would be obscured by another vehicle of the combination, but this shall not affect the requirements that lighted clearance lamps be displayed on the front of the foremost vehicle required to have clearance lamps nor that all lights required on the rear of the rearmost vehicle of any combination shall be lighted.

Rule on
combination
operation.

Section 124. *Lamp or Flag on Projecting Load.* Whenever the load upon any vehicle extends to the rear four (4) feet or more beyond the bed or body of such vehicle there shall be displayed at the extreme rear end of the load, at the times specified in section 112 hereof, a red light or lantern plainly visible from a distance of at least five hundred (500) feet to the sides and rear. The red light or lantern required under this section shall be in addition to the red light required upon every vehicle. At any

Additional red
light or flag on
projecting load.

other time there shall be displayed at the extreme rear end of such load a red flag or cloth not less than twelve (12) inches square and so hung that the entire area is visible to the driver of a vehicle approaching from the rear.

Lamps on
parked vehicles.

When lights
not required.

Lights required
on parked
vehicle.

Section 125. *Lamps on Parked Vehicles.* (a) Whenever a vehicle is lawfully parked upon a street or highway during the hours between a half ($\frac{1}{2}$) hour after sunset and a half ($\frac{1}{2}$) hour before sunrise and in the event there is sufficient light to reveal any person or object within a distance of five hundred (500) feet upon such street or highway no lights need be displayed upon such parked vehicle.

(b) Whenever a vehicle is parked or stopped upon a roadway or shoulder adjacent thereto, whether attended or unattended, during the hours between a half ($\frac{1}{2}$) hour after sunset and a half ($\frac{1}{2}$) hour before sunrise and there is not sufficient light to reveal any person or object within a distance of five hundred (500) feet upon such highway, such vehicle so parked or stopped shall be equipped with one (1) or more lamps meeting the following requirements: At least one (1) lamp shall display a white or amber light visible from a distance of five hundred (500) feet to the front of the vehicle, and the same lamp or at least one (1) other lamp shall display a red light visible from a distance of five hundred (500) feet to the rear of the vehicle, and the location of said lamp or lamps, shall always be such that at least one (1) lamp or combination of lamps meeting the requirements of this section is installed as near as practicable to the side of the vehicle which is closest to passing traffic. The foregoing provisions shall not apply to a motor-driven cycle.

(c) Any lighted headlamp upon a parked vehicle shall be depressed or dimmed.

Lamps on farm
equipment.

Section 126. *Lamps on Farm Tractors, Farm Equipment, and Implements of Husbandry.* (a) Every farm tractor and every self-propelled farm equipment unit or implement of husbandry not equipped with an electric lighting system shall at all times mentioned in section 112 be equipped with at least one (1) lamp displaying a white light visible from a distance of not less than five hundred (500) feet to the front of such vehicle and shall also be equipped with at least one (1) lamp displaying a red light visible from a

distance of not less than five hundred (500) feet to the rear of such vehicle and two (2) red reflectors visible from a distance of one hundred (100) to six hundred (600) feet to the rear when illuminated by the upper beams of headlamps. The lights required herein shall be positioned so that one (1) lamp showing to the front and one (1) lamp or reflector showing to the rear will indicate the furthest projection of said tractor, unit or implement on the side of the road used in passing such vehicle.

(b) Every combination of farm tractor and towed unit of farm equipment or implement of husbandry not equipped with an electric lighting system shall at all times mentioned in section 112 be equipped with the following lamps:

Farm equipment combinations—
lights required.

(1) At least one (1) lamp mounted to indicate as nearly as practicable the extreme left projection of said combination and displaying a white light visible from a distance of not less than five hundred (500) feet to the front of said combination, and

(2) Two (2) lamps each displaying a red light visible from a distance of not less than five hundred (500) feet to the rear of said combination, or as an alternative, at least one (1) lamp displaying a red light visible from a distance of not less than five hundred (500) feet to the rear thereof and two (2) red reflectors visible from a distance of one hundred (100) to six hundred (600) feet to the rear thereof when illuminated by the upper beams of headlamps, which said lamps or reflectors shall be mounted in such manner as to indicate as nearly as practicable the extreme left and right rear projections of said towed unit or implement on the highway.

(c) Every farm tractor and every self-propelled unit of farm equipment or implement of husbandry equipped with an electric lighting system shall at all times mentioned in section 112 be equipped with two (2) single-beam or multiple-beam headlamps meeting the requirements of sections 132 or 134 of this act respectively, or as an alternative, section 136 of this act, and two (2) red lamps visible from a distance of not less than five hundred (500) feet to the rear, or in the alternative, one (1) red lamp visible from a distance of not less than five hundred (500) feet to the rear and two (2) red reflectors visible from a distance of one hundred (100) to six hundred (600) feet to the rear when

illuminated by the upper beams of headlamps; and such red lamps or reflectors shall be mounted in the rear of said farm tractor or self-propelled implement of husbandry so as to indicate as nearly as practicable the extreme left and right projections of said vehicle on the highway.

(d) Every combination of farm tractor and towed farm equipment or towed implement of husbandry equipped with an electric lighting system shall at all times mentioned in section 112 be equipped with the following lamps:

(1) The farm tractor element of every such combination shall be equipped with two (2) single-beam or multiple-beam headlamps meeting the requirements of sections 132, 134, or 136 of this act, and

(2) The towed unit of farm equipment or implement of husbandry element of such combination shall be equipped with two (2) red lamps visible from a distance of not less than five hundred (500) feet to the rear, or as an alternative, one (1) red lamp visible from a distance of not less than five hundred (500) feet to the rear and two (2) red reflectors visible from a distance of one hundred (100) to six hundred (600) feet to the rear when illuminated by the upper beams of headlamps; and such red lamps or reflectors shall be located so as to indicate as nearly as practicable the extreme left and right projections of said towed unit or implement on the highway, and

(3) Said combination shall also be equipped with a lamp displaying a white or amber light, or any shade of color between white and amber, visible from a distance of not less than five hundred (500) feet to the front and a lamp displaying a red light visible from a distance of not less than five hundred (500) feet to the rear, which said lamp or lamps shall be installed or capable of being positioned so as to indicate to the front and rear the furthest projection of said combination on the side of the road used by other vehicles in passing such combination.

Lamps on
other vehicles
and equipment.

Section 127. *Lamps on Other Vehicles and Equipment.* Every vehicle, including animal-drawn vehicles and vehicles referred to in section 111 (c), not specifically required by the provisions of this article to be equipped with lamps or other lighting devices, shall at all times specified in section 112 of this act be equipped with at least one (1)

lamp displaying a white light visible from a distance of not less than five hundred (500) feet to the front of said vehicle, and shall also be equipped with two (2) lamps displaying red light visible from a distance of not less than five hundred (500) feet to the rear of said vehicle, or as an alternative, one (1) lamp displaying a red light visible from a distance of not less than five hundred (500) feet to the rear and two (2) red reflectors visible for distances of one hundred (100) to six hundred (600) feet to the rear when illuminated by the upper beams of headlamps.

Section 128. *Spot Lamps and Auxiliary Lamps.* (a) *Spot Lamps.* Any motor vehicle may be equipped with not to exceed two (2) spot lamps and every lighted spot lamp shall be turned off upon approaching another moving vehicle from either direction. Spotlights.

(b) *Fog Lamps.* Any motor vehicle may be equipped with not to exceed two (2) fog lamps mounted on the front at a height not less than twelve (12) inches nor more than thirty (30) inches above the level surface upon which the vehicle stands and so aimed that when the vehicle is not loaded none of the high-intensity portion of the light to the left of the center of the vehicle shall at a distance of twenty-five (25) feet ahead project higher than a level of four (4) inches below the level of the center of the lamp from which it comes. Lighted fog lamps meeting the above requirements may be used with lower head-lamp beams as specified in section 132 (b). Fog lamps.

(c) *Auxiliary Passing Lamp.* Any motor vehicle may be equipped with not to exceed one (1) auxiliary passing lamp mounted on the front at a height not less than twenty-four (24) inches nor more than forty two (42) inches above the level surface upon which the vehicle stands. The provisions of section 132 shall apply to any combination of head lamps and auxiliary passing lamp. Auxiliary passing lamp.

(d) *Auxiliary Driving Lamp.* Any motor vehicle may be equipped with not to exceed one (1) auxiliary driving lamp mounted on the front at a height not less than sixteen (16) inches nor more than forty-two (42) inches above the level surface upon which the vehicle stands. The provisions of section 132 shall apply to any combination of head lamps and auxiliary driving lamp. Auxiliary driving lamp.

Section 129. *Audible and Visual Signals on Vehicles.*

Siren on
emergency
vehicles.

(a) Every authorized emergency vehicle shall, in addition to any other equipment and distinctive markings required by this act, be equipped with a siren, exhaust whistle or bell capable of giving an audible signal.

Signal lamps on
school busses.

(b) Every bus used for the transportation of school children and every authorized emergency vehicle shall, in addition to any other equipment and distinctive markings required by this act, be equipped with signal lamps mounted as high and as widely spaced laterally as practicable, which shall be capable of displaying to the front two (2) alternately flashing *amber* lights located at the same level and to the rear two (2) alternately flashing red lights located at the same level, and these lights shall have sufficient intensity to be visible at five hundred (500) feet in normal sunlight.

Police vehicles.
Stoplights
authorized.

(c) A police vehicle when used as an authorized emergency vehicle may but need not be equipped with alternately flashing red lights specified herein. The use of the signal equipment described herein shall impose upon drivers of other vehicles the obligation to yield right of way and stop as prescribed in section 72 and 94 of this act.

Turn indicator
lights
authorized.

Section 130. *Signal Lamps and Signal Devices.* (a) Any motor vehicle may be equipped and when required under this act shall be equipped with a stop lamp or lamps on the rear of the vehicle which shall display a red or amber light, or any shade of color between red and amber, visible from a distance of not less than one hundred (100) feet to the rear in normal sunlight, and which shall be actuated upon application of the service (foot) brake, and which may but need not be incorporated with one (1) or more other rear lamps.

(b) Any motor vehicle may be equipped and when required under this act shall be equipped with lamps or mechanical signal devices showing to the front and rear for the purpose of indicating an intention to turn either to the right or left. When lamps are used for such purposes, the lamps showing to the front shall be located on the same level and as widely spaced laterally as practicable and when in use shall display a white or amber light, or any shade of color between white and amber, visible from a distance of

not less than one hundred (100) feet to the front in normal sunlight, and the lamps showing to the rear shall be located at the same level and as widely spaced laterally as practicable and when in use shall display a red or amber light, or any shade of color between red and amber, visible from a distance of not less than one hundred (100) feet to the rear in normal sunlight. When actuated such lamps shall indicate the intended direction of turning by flashing the lights showing to the front and rear on the side toward which the turn is made. Where mechanical signal devices are used for such purposes, said devices shall be self-illuminated when in use at the times mentioned in section 112.

(c) No stop lamp or signal lamp or device shall project a glaring light.

Section 131. *Additional Lighting Equipment.* (a) Any motor vehicle may be equipped with not more than two (2) side cowl or fender lamps which shall emit an amber or white light without glare.

Authorizing
additional
lighting
equipment.

(b) Any motor vehicle may be equipped with not more than one (1) running board courtesy lamp on each side thereof which shall emit a white or amber light without glare.

(c) Any motor vehicle may be equipped with not more than two (2) back-up lamps either separately or in combination with other lamps, but any such back-up lamps shall not be lighted when the motor vehicle is in forward motion.

(d) Any vehicle may be equipped with lamps which may be used for the purpose of warning the operators of other vehicles of the presence of a vehicular traffic hazard requiring the exercise of unusual care in approaching, overtaking, or passing, and when so equipped may display such warning in addition to any other warning signals required by this act. The lamps used to display such warning to the front shall be mounted at the same level and as widely spaced laterally as practicable and shall display simultaneously flashing white or amber lights, or any shade of color between white and amber. The lamps used to display such warning to the rear shall be mounted at the same level and as widely spaced laterally as practicable, and shall show simultaneously flashing amber or red lights, or any shade of color between amber and red. These warning lights

shall be visible from a distance of not less than five hundred (500) feet under normal atmospheric conditions at night.

Multiple-beam
road-lighting
equipment
required.

Section 132. *Multiple-beam Road-lighting Equipment.* Except as hereinafter provided, the headlamps or the auxiliary driving lamp or the auxiliary passing lamp or combination thereof on motor vehicles other than motorcycles or motor-driven cycles shall be so arranged that the driver may select at will between distributions of light projected to different elevations and such lamps may, in addition, be so arranged that such selection can be made automatically, subject to the following limitations:

Upper beam
standard.

(a) There shall be an uppermost distribution of light, or composite beam, so aimed and of such intensity as to reveal persons and vehicles at a distance of at least three hundred fifty (350) feet ahead for all conditions of loading.

Lower beam
standard.

(b) There shall be a lowermost distribution of light, or composite beam, so aimed and of sufficient intensity to reveal persons and vehicles at a distance of at least one hundred (100) feet ahead; and on a straight level road under any condition of loading none of the high-intensity portion of the beam shall be directed to strike the eyes of an approaching driver.

Beam indicator
required.

(c) Every new motor vehicle, other than a motorcycle, or motor-driven cycle, registered in this state after January 1, 1956, which has multiple-beam road-lighting equipment shall be equipped with a beam indicator, which shall be lighted whenever the uppermost distribution of light from the headlamps is in use, and shall not otherwise be lighted. Said indicator shall be so designed and located that when lighted it will be readily visible without glare to the driver of the vehicle so equipped.

Lighting
required
in operation
on highway.

Section 133. *Use of Multiple-beam Road-lighting Equipment.* (a) Whenever a motor vehicle is being operated on a roadway or shoulder adjacent thereto during the times specified in section 112, the driver shall use a distribution of light, or composite beam, directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the vehicle subject to the following requirements and limitations:

Forbidding
glaring on
approaching
vehicle.

(b) Whenever the driver of a vehicle approaches an oncoming vehicle within one thousand (1,000) feet, such

driver shall use a distribution of light or composite beam so aimed that the glaring rays are not projected into the eyes of the oncoming driver.

The lowermost distribution of light specified in item 1 of section 132 (b) shall be deemed to avoid glare at all times, regardless of road contour and loading.

Lower beam
deemed to
avoid glare.

(c) Whenever the driver of a vehicle follows another vehicle within three hundred (300) feet to the rear, such driver shall use a distribution of light permissible under this act other than the uppermost distribution of light specified in paragraph (a) of section 132.

Approaching
from rear.

Section 134. *Single-beam Road-lighting Equipment.* Head lamps arranged to provide a single distribution of light shall be permitted on motor vehicles manufactured and sold prior to one (1) year after the effective date of this act in lieu of multiple-beam road-lighting equipment herein specified if the single distribution of light complies with the following requirements and limitations:

When single
beam lights
permitted

1. The head lamps shall be so aimed that when the vehicle is not loaded none of the high-intensity portion of the light shall at a distance of twenty-five (25) feet ahead project higher than a level of five (5) inches below the level of the center of the lamp from which it comes, and in no case higher than forty-two (42) inches above the level on which the vehicle stands at a distance of seventy-five (75) feet ahead.

Standards
for single
beam lights.

2. The intensity shall be sufficient to reveal persons and vehicles at a distance of at least two hundred (200) feet.

Section 135. *Lighting Equipment on Motor-driven Cycles.* The head lamp or head lamps upon every motor-driven cycle may be of the single-beam or multiple-beam type but in either event shall comply with the requirements and limitations as follows:

Motor driven
cycles—
lighting
equipment
required.

1. Every said head lamp or head lamps on a motor-driven cycle shall be of sufficient intensity to reveal a person or a vehicle at a distance of not less than one hundred (100) feet when the motor-driven cycle is operated at any speed less than twenty-five (25) miles per hour and at a distance of not less than two hundred (200) feet when the motor-driven cycle is operated at a speed of twenty-five

Standards.

(25) or more miles per hour, and at a distance of not less than three hundred (300) feet when the motor-driven cycle is operated at a speed of thirty-five (35) or more miles per hour.

Multiple beam.

2. In the event the motor-driven cycle is equipped with a multiple-beam head lamp or head lamps the upper beam shall meet the minimum requirements set forth above and shall not exceed the limitations set forth in section 132 (a) and the lowermost beam shall meet the requirements applicable to a lowermost distribution of light as set forth in section 132 (b).

Single beam.

3. In the event the motor-driven cycle is equipped with a single-beam lamp or lamps, said lamp or lamps shall be so aimed that when the vehicle is loaded none of the high-intensity portion of light at a distance of twenty-five (25) feet ahead, shall project higher than the level of the center of the lamp from which it comes.

Alternate lighting standards.

Section 136. *Alternate Road-lighting Equipment.* Any motor vehicle may be operated under the conditions specified in section 112 when equipped with two (2) lighted lamps upon the front thereof capable of revealing persons and objects seventy-five (75) feet ahead in lieu of lamps required in section 132 or section 134 provided, however, that at no time shall it be operated at a speed in excess of twenty (20) miles per hour.

Number of driving lights required.

Section 137. *Number of Driving Lamps Required or Permitted.* (a) At all times specified in section 112, at least two (2) lighted lamps shall be displayed one (1) on each side at the front of every motor vehicle other than a motorcycle or motor-driven cycle, except when such vehicle is parked subject to the regulations governing lights on parked vehicles.

Maximum.

(b) Whenever a motor vehicle equipped with head lamps as herein required is also equipped with any auxiliary lamps or a spot lamp or any other lamp on the front thereof projecting a beam of intensity greater than three hundred (300) candlepower, not more than a total of four (4) of any such lamps on the front of a vehicle shall be lighted at any one time when upon a highway.

Special restrictions on lamps.

Section 138. *Special Restrictions on Lamps.* (a) Any lighted lamp or illuminating device upon a motor vehicle

other than head lamps, spot lamps, auxiliary lamps, or flashing turn signals, emergency vehicle warning lamps, and school bus warning lamps, which projects a beam of light of an intensity greater than three hundred (300) candlepower shall be so directed that no part of the high intensity portion of the beam will strike the level of the roadway on which the vehicle stands at a distance of more than seventy-five (75) feet from the vehicle.

(b) No person shall drive or move any vehicle or equipment upon a highway with any lamp or device thereon displaying a red light visible from directly in front of the center thereof. This section shall not apply to any vehicle upon which a red light visible from the front is expressly authorized or required by this code.

(c) Flashing lights are prohibited except on an authorized emergency vehicle, school bus, snow-removal equipment, or on any vehicle as a means for indicating a right or left turn, or the presence of a vehicular traffic hazard requiring unusual care in approaching, overtaking or passing.

Section 139. *Standards for Lights on Snow-removal Equipment.* (a) The commission shall adopt standards and specifications applicable to head lamps, clearance lamps, identification and other lamps on snow-removal equipment when operated on the highways of this state in lieu of the lamps otherwise required on motor vehicles by this act. Such standards and specifications may permit the use of flashing lights for purposes of identification on snow-removal equipment when in service upon the highways. The standards and specifications for lamps referred to in this section shall correlate with, and so far as possible, conform with those approved by the American Association of State Highway Officials.

Snow removal
equipment—
lighting
standards.

(b) It shall be unlawful to operate any snow-removal equipment on any highway unless the lamps thereon comply with and are lighted when and as required by the standards and specifications adopted as provided in this section.

Section 140. *Brakes.* (a) *Brake Equipment Required.*

1. Every motor vehicle, other than a motorcycle or motor-driven cycle, when operated upon a highway shall be equipped with brakes adequate to control the movement

Brake
equipment
required.

of and to stop and hold such vehicle, including two (2) separate means of applying the brakes, each of which means shall be effective to apply the brakes to at least two (2) wheels. If these two (2) separate means of applying the brakes are connected in any way, they shall be so constructed that failure of any one (1) part of the operating mechanism shall not leave the motor vehicle without brakes on at least two (2) wheels.

Motorcycles.

2. Every motorcycle and every motor-driven cycle, when operated upon a highway, shall be equipped with at least one (1) brake which may be operated by hand or foot.

**Trailers,
semi-trailers.**

3. Every trailer or semitrailer of a gross weight of three thousand (3,000) pounds or more when operated upon a highway shall be equipped with brakes adequate to control the movement of and to stop and to hold such vehicle and so designed as to be applied by the driver of the towing motor vehicle from its cab, and said brakes shall be so designed and connected that in case of an accidental break-away of the towed vehicle the brakes shall be automatically applied.

**New vehicles—
all wheel brakes
required.**

4. Every new motor vehicle, trailer, or semitrailer hereafter sold in this state and operated upon the highways shall be equipped with service brakes upon all wheels of every such vehicle, except any motorcycle or motor-driven cycle, and except that any semitrailer of less than one thousand five hundred (1,500) pounds gross weight need not be equipped with brakes.

**Emergency
brake required.**

5. One of the means of brake operation shall consist of a mechanical connection from the operating lever to the brake shoes or bands and this brake shall be capable of holding the vehicle, or combination of vehicles, stationary under any condition of loading on any upgrade or down grade upon which it is operated.

6. The brake shoes operating within or upon the drums on the vehicle wheels of any motor vehicle may be used for both service and hand operation.

**Brake
performance
standards.**

(b) *Performance Ability of Brakes.* Every motor vehicle or combination of vehicles at all times and under all conditions of loading shall, upon application of the service (foot) brake, be capable of decelerating and developing a braking force equivalent to such deceleration according to the min-

imum requirements set forth herein, and also of stopping within the distances set forth herein;

	Stopping distance in feet	Deceleration in feet per second per second	Equivalent braking force in percentage of vehicle or combination weight
Passenger vehicles not including busses:	25	17	53.0 %
Single-unit vehicles with a manufacturer's gross vehicle weight rating of less than 10,000 pounds:	30	14	43.5 %
Single-unit, 2-axle vehicles with a manu- facturer's gross vehicle weight rating of 10,000 pounds or more:	40	14	43.5 %
All other vehicles and combinations with a manufacturer's gross vehicle weight rating of 10,000 or more pounds:	50	14	43.5 %

Compliance with standards set forth herein shall be determined either (1) by actual road tests conducted on a substantially level (not to exceed a plus or minus one per cent [1%] grade), dry, smooth, hard-surfaced road that is free from loose material, and with stopping distances measured from the actual instant braking controls are moved and from an initial speed of twenty (20) miles per hour, or else (2) by suitable mechanical tests in a testing lane which recreates such same conditions, or (3) by a combination of both methods.

Stopping distance shall be measured from the instant braking controls are moved and from an initial speed of twenty (20) miles per hour.

Motor-driven
cycle brake
requirements.

Section 141. *Brakes on Motor-driven Cycles.* (a) The board is authorized to require an inspection of the brake on any motor-driven cycle and to disapprove any such brake which they find will not comply with the performance ability standard set forth in section 140 or which in their opinion is not so designed or constructed as to insure reasonable and reliable performance in actual use.

Registration
may be refused
for substandard
brakes.

(b) The registrar may refuse to register or may suspend or revoke the registration of any vehicle referred to in this section when it has been determined that the brakes thereon do not comply with the provisions of this section.

(c) No person shall operate on any highway any vehicle referred to in this section in the event the board has disapproved the brake equipment upon such vehicle or type of vehicle.

Horn required—
standard.

Section 142. *Horns and Warning Devices.* (a) Every motor vehicle when operated upon a highway shall be equipped with a horn in good working order and capable of emitting sound audible under normal conditions from a distance of not less than two hundred (200) feet, but no horn or other warning device shall emit an unreasonably loud or harsh sound or a whistle. The driver of a motor vehicle shall when reasonably necessary to insure safe operation give audible warning with his horn but shall not otherwise use such horn when upon a highway.

Siren, whistle,
bells, forbidden.

(b) No vehicle shall be equipped with nor shall any person use upon a vehicle any siren, whistle, or bell, except as otherwise permitted in this section.

Exception—
theft signal.

(c) It is permissible but not required that any commercial vehicle be equipped with a theft alarm signal device which is so arranged that it cannot be used by the driver as an ordinary warning signal.

Emergency
vehicles.

(d) Any authorized emergency vehicle may be equipped with a siren, whistle, or bell, capable of emitting sound audible under normal conditions from a distance of not less than five hundred (500) feet and of a type approved by the board, but such siren shall not be used except when such vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law, in which said latter events the driver of such vehicle shall sound said siren when reasonably neces-

sary to warn pedestrians and other drivers of the approach thereof.

Section 143. *Mufflers, Prevention of Noise.* (a) Every motor vehicle shall at all times be equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke, and no person shall use a muffler cut-out, by-pass, or similar device upon a motor vehicle on a highway. Mufflers required.

(b) The engine and power mechanism of every motor vehicle shall be so equipped and adjusted as to prevent the escape of excessive fumes or smoke.

Section 144. *Mirrors.* Every motor vehicle which is so constructed or loaded as to obstruct the driver's view to the rear thereof from the driver's position shall be equipped with a mirror so located as to reflect to the driver a view of the highway for a distance of at least two hundred (200) feet to the rear of such vehicle. Mirrors required.

Section 145. *Windshields Must Be Unobstructed and Equipped With Wipers.* (a) No person shall drive any motor vehicle with any sign, poster, or other nontransparent material upon the front windshield, side wings, or side or rear windows of such vehicle which obstructs the driver's clear view of the highway or any intersecting highway. Windshields.
Obstructions forbidden.

(b) The windshield on every motor vehicle shall be equipped with a device for clearing rain, snow, or other moisture from the windshield, which device shall be so constructed as to be controlled or operated by the driver of the vehicle. Wipers required.

(c) Every windshield wiper upon a motor vehicle shall be maintained in good working order.

Section 146. *Restrictions as to Tire Equipment.* (a) Every solid rubber tire on a vehicle shall have rubber on its entire traction surface at least one (1) inch thick above the edge of the flange of the entire periphery. Restrictions on tire equipment.

(b) No person shall operate or move on any highway any motor vehicle, trailer, or semitrailer having any metal tire in contact with roadway.

(c) No tire on a vehicle moved on a highway shall have on its periphery any block, stud, flange, cleat, or spike or any other protuberance of any material other than rubber

which projects beyond the tread of the traction surface of the tire, except that it shall be permissible to use farm machinery with tires having protuberances which will not injure the highway, and except also that it shall be permissible to use tire chains of reasonable proportions upon any vehicle when required for safety because of snow, ice, or other conditions tending to cause a vehicle to skid.

Proviso—
special permits
for prohibited
vehicles.

(d) The commission and local authorities in their respective jurisdictions may in their discretion issue special permits authorizing the operation upon a highway of traction engines or tractors having movable tracks with transverse corrugations upon the periphery of such movable tracks or farm tractors or other farm machinery, the operation of which upon the highway would otherwise be prohibited under this act.

Section 147. Safety Glazing Material in Motor Vehicles.

Safety glass
required
in future.

(a) On and after January 1, 1956, no person shall sell any new motor vehicle as specified herein, nor shall any new motor vehicle as specified herein be registered thereafter unless such vehicle is equipped with safety glazing material wherever glazing material is used in doors, windows, and windshields. The foregoing provisions shall apply to all passenger-type motor vehicles, including passenger busses and school busses, but in respect to trucks, including truck tractors, the requirements as to safety glazing material shall apply to all glazing material used in doors, windows, and windshields in the driver's compartments of such vehicles.

"Safety glazing
materials"
defined.

(b) The term "safety glazing materials" means glazing materials so constructed, treated or combined with other materials as to reduce substantially in comparison with ordinary sheet glass or plate glass, the likelihood of injury to persons by objects from exterior sources or by these safety glazing materials when they may be cracked or broken.

Certain vehicles
to carry
flares, warning
devices.

Section 148. Certain Vehicles to Carry Flares or Other Warning Devices. (a) No person shall operate any motor truck, passenger bus, or truck tractor upon any highway outside the corporate limits of municipalities at any time from a half ($\frac{1}{2}$) hour after sunset to a half ($\frac{1}{2}$) hour before sunrise unless there shall be carried in such vehicle

the following equipment except as provided in paragraph (b) :

1. At least three (3) flares or three (3) red electric lanterns or three (3) portable red emergency reflectors each of which shall be capable of being seen and distinguished at a distance of not less than six hundred (600) feet under normal atmospheric conditions at nighttime.

No portable reflector unit shall be used for the purpose of compliance with the requirements of this section unless it is so designed and constructed as to display a minimum of twenty-four (24) square inches of reflective surface, or two (2) reflecting elements; one above the other, either of which shall be capable of reflecting red light clearly visible from all distances within six hundred (600) feet to one hundred (100) feet under normal atmospheric conditions at night when directly in front of lawful upper beams of headlamps.

2. At least three (3) red-burning fusees unless red electric lanterns or red portable emergency reflectors are carried.

3. At least two (2) red-cloth flags, no less than twelve (12) inches square, with standards to support such flags.

(b) No person shall operate at the time and under the conditions stated in paragraph (a) any motor vehicle used for the transportation of explosives, any cargo tank truck used for the transportation of flammable liquids or compressed gases, or any motor vehicle using compressed gas as a fuel unless there shall be carried in such vehicle three (3) red electric lanterns or three (3) portable red emergency reflectors meeting the requirements of paragraph (a) of this section, and there shall not be carried in any said vehicle any flares, fusees, or signal produced by flame.

Section 149. *Display of Warning Devices When Vehicle Disabled.* (a) Whenever any motor truck, passenger bus, truck, tractor, trailer, semitrailer, or pole trailer is disabled upon the travelled portion of any highway or the shoulder thereof outside of any municipality at any time when lighted lamps are required on vehicles the driver of such vehicle shall display the following warning devices upon the highway during the time the vehicle is so disabled on the highway except as provided in paragraph (b) :

Display of
warning devices
when vehicle
disabled.

Temporary
emergency
light.

1. A lighted fusee, a lighted red electric lantern or a portable red emergency reflector shall be immediately placed at the traffic side of the vehicle in the direction of the nearest approaching traffic.

Flares or
reflectors.

2. As soon thereafter as possible but in any event within the burning period of the fusee (15 minutes), the driver shall place three (3) liquid burning flares (pot torches), or three (3) lighted red electric lanterns or three (3) portable red emergency reflectors on the travelled portion of the highway in the following order:

Location of
warning lights.

(I) One (1), approximately one hundred (100) feet from the disabled vehicle in the center of the lane occupied by such vehicle and toward traffic approaching in that lane.

(II) One (1), approximately one hundred (100) feet in the opposite direction from the disabled vehicle and in the center of the traffic lane occupied by such vehicle.

(III) One (1), at the traffic side of the disabled vehicle not less than ten (10) feet rearward or forward thereof in the direction of the nearest approaching traffic. If a lighted red electric lantern or a red portable emergency reflector has been placed at the traffic side of the vehicle in accordance with paragraph (I) of this section, it may be used for this purpose.

(b) Whenever any vehicle referred to in this section is disabled within five hundred (500) feet of a curve, hill-crest, or other obstruction to view, the warning signal in that direction shall be so placed as to afford ample warning to other users of the highway, but in no case less than five hundred (500) feet from the disabled vehicle.

Divided
highway—
procedure.

(c) Whenever any vehicle of a type referred to in this section is disabled upon any roadway of a divided highway during the time that lights are required, the appropriate warning devices prescribed in paragraphs (a) and (e) of this section shall be placed as follows:

One (1) at a distance of approximately two hundred (200) feet from the vehicle in the center of the lane occupied by the stopped vehicle and in the direction of traffic approaching in that lane; one (1) at a distance of approximately one hundred (100) feet from the vehicle, in the center of the lane occupied by the vehicle and in the direction of traffic approaching in that lane; one (1) at

the traffic side of the vehicle and approximately ten (10) feet from the vehicle in the direction of the nearest approaching traffic.

(d) Whenever any vehicle of a type referred to in this section is disabled upon the travelled portion of a highway or the shoulder thereof outside of any municipality at any time when the display of fusees, flares, red electric lanterns or portable red emergency reflectors is not required, the driver of the vehicle shall display two (2) red flags upon the roadway in the lane of traffic occupied by the disabled vehicle, or at a distance of approximately one hundred (100) feet in advance of the vehicle, and one (1) at a distance of approximately one hundred (100) feet to the rear of the vehicle.

When flags
to be used.

(e) Whenever any motor vehicle used in the transportation of explosives or any cargo tank truck used for the transportation of any flammable liquid or compressed flammable gas, or any motor vehicle using compressed gas as a fuel, is disabled upon any highway of this state at any time or place mentioned in paragraph (a) of this section, the driver of such vehicle shall immediately display the following warning devices: one (1) red electric lantern or portable red emergency reflector placed on the roadway at the traffic side of the vehicle and two (2) red electric lanterns or portable red reflectors, one (1) placed approximately one hundred (100) feet to the front and one (1) placed approximately one hundred (100) feet to the rear of the disabled vehicle in the center of the traffic lane occupied by such vehicle. Flares, fusees, or signals produced by flame shall not be used as warning devices for disabled vehicles of the type mentioned in this paragraph.

Explosives,
flammable
liquid or gas—
vehicle
disabled—
regulations.

(f) The flares, fusees, red electric lanterns, portable red emergency reflectors and flags to be displayed as required in this section shall conform with the requirements of section 148 applicable thereto.

Section 150. *Vehicles Transporting Explosives.* Any person operating any vehicle transporting any explosive as a cargo or part of a cargo upon a highway shall at all times comply with the provisions of this section.

Transporting
explosives—
requirements.

(a) Said vehicle shall be marked or placarded on each side and the rear with the word "EXPLOSIVES" in letters not less than eight (8) inches high, or there shall be dis-

Marking.

played on the rear of such vehicle a red flag not less than twenty-four (24) inches square marked with the word "DANGER" in white letters six (6) inches high.

Fire equipment. (b) Every said vehicle shall be equipped with not less than two (2) fire extinguishers, filled and ready for immediate use, and placed at a convenient point on the vehicle so used.

Additional regulations authorized. (c) The board is hereby authorized and directed to promulgate such additional regulations governing the transportation of explosives and other dangerous articles by vehicles upon the highway as it shall deem advisable for the protection of the public.

ARTICLE XV

INSPECTION OF VEHICLES

Vehicles without required equipment or in unsafe condition forbidden. Section 151. *Vehicles Without Required Equipment or in Unsafe Condition.* No person shall drive or move on any highway any motor vehicle, trailer, semitrailer, or pole trailer, or any combination thereof unless the equipment upon any and every said vehicle is in good working order and adjustment as required in this act and said vehicle is in such safe mechanical condition as not to endanger the driver or other occupant or any person upon the highway.

Inspections authorized. Section 152. *Inspections by Officers of the Department.* (a) The supervisor, members of the state highway patrol, and such other officers and employees of the department as the supervisor may designate, may at any time upon reasonable cause to believe that a vehicle is unsafe or not equipped as required by law, or that its equipment is not in proper adjustment or repair, require the driver of such vehicle to stop and submit such vehicle to an inspection and such test with reference thereto as may be appropriate.

Inspection certificate. (b) In the event such vehicle and its equipment are found to be in safe condition and in full compliance with the law, the officer making such inspection may issue to the driver an official certificate of inspection and approval of such vehicle specifying those parts or equipment so inspected and approved.

Notice of defects. (c) In the event such vehicle is found to be in unsafe condition or any required part or equipment is not present or is not in proper repair and adjustment the officer shall

give a written notice to the driver and shall send a copy to the board. Said notice shall specify the deficiencies and require that such vehicle be placed in safe condition and its equipment in proper repair and adjustment within five (5) days.

Section 153. *Owners and Drivers to Comply With Inspection Laws.* (a) No person driving a vehicle shall refuse to submit such vehicle to an inspection and test when required to do so by the supervisor or an authorized officer or employee of the department.

Owners and drivers to comply with inspection laws.

(b) Every owner or driver, upon receiving a notice as provided in section 152, shall comply therewith and shall within five (5) days have the deficiencies corrected and shall forward notification of such correction to the board. In lieu of compliance with this paragraph the vehicle shall not be operated, except as provided in the next succeeding paragraph.

(c) No person shall operate any vehicle after receiving a notice with reference thereto as above provided, except as may be necessary to return such vehicle to the residence or place of business of the owner or driver, if within a distance of twenty (20) miles, or to a garage, until said vehicle and its equipment has been placed in proper repair and adjustment and otherwise made to conform to the requirements of this act.

Operation after notice of defect forbidden.

ARTICLE XVI

PENALTIES AND DISPOSITION OF FINES AND FORFEITURES

Section 154. *Penalties for Misdemeanor.* (a) It is a misdemeanor for any person to violate any of the provisions of this act unless such violation is by this act or other law of this state declared to be a felony.

Penalties.

(b) Every person convicted of a misdemeanor for a violation of any of the provisions of this act for which another penalty is not provided shall for a first conviction thereof be punished by a fine of not less than ten dollars (\$10.00) nor more than one hundred dollars (\$100.00) or by imprisonment for not more than ten (10) days; for a second conviction within one (1) year thereafter such person shall be punished by a fine of not less than twenty-

five dollars (\$25.00) nor more than two hundred dollars (\$200.00) or by imprisonment for not more than twenty (20) days or by both such fine and imprisonment; upon a third or subsequent conviction within one (1) year after the first conviction such person shall be punished by a fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) or by imprisonment for not more than six (6) months or by both fine and imprisonment.

(c) On failure of payment of fines, the offender, in cases of misdemeanor, shall be imprisoned in the county jail in the county in which the offense has been committed, and said imprisonment shall be computed upon the basis of two dollars (\$2.00) of said fine for each day's incarceration.

(d) Upon conviction the court costs, or any part thereof, may also be assessed against the defendant in the discretion of the court.

ARTICLE XVII

EFFECT OF AND SHORT TITLE OF ACT

Uniformity of interpretation.

Section 155. *Uniformity of Interpretation.* This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it.

How cited.

Section 156. *Short Title.* This act may be cited as the uniform act regulating traffic on highways.

Severability clause.

Section 157. *Constitutionality.* If any part or parts of this act shall be held to be unconstitutional, such unconstitutionality shall not affect the validity of the remaining parts of this act. The legislature hereby declares that it would have passed the remaining parts of this act if it had known that such part or parts thereof would be declared unconstitutional.

Repealing certain statutes.

Section 158. *Repeal.* That sections 31-107, Revised Codes of Montana, 1947, as amended by section 1, chapter 94, laws of 1949, 31-108, Revised Codes of Montana, 1947, as amended by section 1, chapter 118, laws of 1949, 31-109, 32-801, 32-802, 32-803, 32-804, 32-805, 32-806, 32-1011, 32-1015, 32-1017, 32-1101, 32-1102, 32-1103, Revised Codes of Montana, 1947, as amended by section 1, chapter 70, laws of 1949, 32-1104, 32-1105, 32-1106, 32-1107, 32-1108, 32-1109, 32-1111, 32-1132, 32-1133, 32-1134, 32-1135, 32-1136,

32-1137, 32-1138, 32-1139, 32-1140, 32-1141, 32-1142, 32-1146, 32-1611, 32-1612, 69-1913, 69-1915, Revised Codes of Montana, 1947, and all acts and parts of acts in conflict herewith are hereby repealed.

Section 159. *Time of Taking Effect.* This act shall be in full force and effect from and after July 1, 1955. Effective
July 1, 1955.

Approved March 10, 1955.

CHAPTER 264

An Act to Simplify the Organization of the State Board of Health of the State of Montana, and to Coordinate the Functions, Powers and Duties of the Board; to Make the Board, as a Board, the Central and Responsible Agency in the Field of Public Health in the State of Montana, With Respect to the Multiple Functions Assigned to It, the Powers Delegated to It, and the Duties Prescribed for It, by the Legislative Assembly; to Lodge and Concentrate in the State Board of Health, as a Board, Functions, Powers and Duties That Have Been Heretofore Assigned, or Conceived to be Assigned, to Officers, Appointees, or Employees of the Board, Whether Referred to as "Director" of a "Division" or Otherwise Referred to, Titled or Designated in Existing Legislation; to Provide That All Persons Employed by the Board, or Authorized by, for or on Behalf of the Board to Exercise Any Power or Function, or to Discharge Any Duty, Shall at All Times Act in Subordination to the Board and in Compliance With Its Rules and Regulations and Its Orders and Directives; and to Authorize the Board to Assign Duties and to Organize and Coordinate Its Internal Administration Without Regard to Titles of Appointees, or the Names or Titles of Functional Divisions or Units of Administration; Withholding From the Board, However, Authority to Create, Establish or Set Up Additional or New Functions Not Delegated to it by the Legislative Assembly; to Provide for the Organization and Administration of the State Board of Health Laboratory, and Its Services; and, in Order to Accomplish Such Purposes and Such Revisions, to Amend the Following Sections of the Revised Codes of Montana, 1947: Section 69-105 (2448) Relating to